Morning Oregonian.

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EASTERN NEWS.

[BY TELEGRAPH TO THE OREGONIAN.]

Shipping Intelligence.

NEW YORK, March 9.—The steamship Vasco de Gama sailed from Yokohama for San Francisco on March 7th.

Senator Booth's Arrival.

NEW YORK, March 9.—Senator Booth arrived to-

Defalcation of Railway Employes.

CINCINNATI, March 9.—A defalcation of about $3,000 divided between ticket and freight offices of the Baltimore and Ohio Railroad Co., at Zanesville, Ohio, has been discovered.

U. P. Election.

NEW YORK, March 9.—Jay Gould, Sydney Dillon and other directors of the Union Pacific Company, went to Boston last night to attend the annual election to-morrow.

A Woman Murders Her Two Children, and then Takes Her Own Life.

NEW YORK, March 9.—Mrs. Evans, in Seymour county, yesterday cut the throats of her two children, aged three and six years, and then cut her [illegible]

Another Black Hills Expedition.

[illegible], March 9.—A Wisconsin dispatch says an [illegible] Hills expedition is fitting out at that place, [illegible] to start early in the spring.

Pinchback Still has a Chance.

[illegible], March 9.—The *Inter-Ocean's* Washington [illegible] enough is already known by the House committee of the character of election [illegible] of members of the legislature to make it [illegible] that their revision of these affairs will not [illegible] the Conservatives a majority on joint ballot; so [illegible] Pinchback be not admitted to the Senate, [illegible] held after the Wheeler compromise is [illegible] into effect, will be in control of the Republicans.

The New Hampshire Election.

CONCORD, March 9.—The election throughout the State is progressing quietly. Up to noon a larger vote had been polled than ever before, both parties polling their full strength. There are but few [illegible]

Meeting of the Ohio State Grange.

COLUMBUS, March 9.—The Ohio State Grange met to-day, between 100 and 200 delegates being present. The morning was devoted entirely to organization.

Gold and Stocks.

NEW YORK, March 9.—Money closed at 3@4; Governments active and steady. Gold closed at 15; stocks active and unsettled; W. U., 75¾; quicksilver [illegible]; Pac. Mail, 38¾; W. F., 86; N. Y. C., 102; Panama 115; Union Pac., 47⅝. Bonds, 96½. Central [illegible]

WASHINGTON CITY.

From Tiffany back to Newman.

WASHINGTON, March 9.—Rev. John P. Newman returned to the pastorate of the Metropolitan church of this city.

Republican Caucus.

WASHINGTON, March 9.—The caucus of Republican Senators to-day chose Ferry, of Connecticut, President of the Senate pro tem, and on meeting of the Senate, he was elected,—receiving 39 to 25 for Thurman. The caucus also approved the report of the committee on revision of the committees.

Rearrangement of Committees.

WASHINGTON, March 9.—In the Senate standing committees the following changes have been made in chairmanships: Conkling, for the committee on commerce, in place of Chandler; Hamlin, on committee on postoffices and post roads, in place of Ramsey; Oglesby on public lands in place of Pratt; Ingalls on pensions, in place of Boreman; [illegible] on railroads, in place of Stewart; Sargent on mines and mining in place of Hamlin; Boutwell on revision of laws in place of Conkling; Patterson on education and labor in place of Flanagan; [illegible] on civil service and retrenchment in place of Wright. Two committees are given to the Democrats, Thurman being chairman of that on private land claims and Stevenson of that on revolutionary claims.

Let in Pinch.

WASHINGTON, March 9.—After announcement of the committees in the Senate to-day, consideration of the resolution for the admission of Pinchback was resumed, and Morton continued [illegible]

Treasury Matters.

WASHINGTON, March 9.—It is intimated at the Treasury department that the contemplated call for retirement of $5,000,000 5-20 bonds on account of the sinking fund, won't be made for a day or two, and it is not yet decided what number of bonds will be called.

"Gov." Brooks, Etc.

WASHINGTON, March 9.—Gov. Brooks, of Arkansas, and ex-Representative Poland, had an interview with the President to-day.

Sergeant-at-Arms.

WASHINGTON, March 9.—The caucus discussed the subject of sergeant at arms, and the name of [illegible] Kennedy, of New York, was presented to succeed French, the present incumbent, who was [illegible] 1869 over Kennedy. The question will [illegible] at the meeting of the caucus on Thursday [illegible] the question whether it is expedient to make the change.

Nominations by the President.

WASHINGTON, March 9.—The President nominated [illegible] Pardee U. S. District Judge for Louisiana; [illegible] Burt, Postmaster at Boston; Albert G. [illegible], of Michigan, Paymaster of the army.

Debut of Senator Booth.

WASHINGTON, March 9.—Booth's advent in the Senate to-day, where he was generally introduced by [illegible] and Hager, attracted much notice, both on floor and galleries. He declares himself opposed to the Hawaiian treaty on the ground it will injure California refiners without cheapening the price of sugar. Friends of reciprocity say, [illegible] of course, it would not cheapen crushed sugar, as no provision is made for its free admission, yet it would lessen the prices of brown sugar. They also express great surprise that Booth, after being elected on an anti-monopoly platform, should want to uphold an acknowledged monopoly of San Francisco sugar refiners.

Booth's assignment to committees is in accordance with the general rule that new Senators are given a place on no more than one committee of importance.

Kelly Goes on Railway Committee.

WASHINGTON, March 9.—Kelly, at the request of his Democratic colleagues, goes on the railway committee, notwithstanding one Senator from Oregon, Mitchell, has already been assigned to it by Republicans. Kelly relinquishes his position on the military committee, but remains on the public lands.

SENATE—EXTRA SESSION.

WASHINGTON, March 9.—In the Senate the secretary read a letter from Vice-President Wilson, stating his inability to be present for a day or two.

[illegible] submitted a resolution declaring T. W. Ferry, of Michigan, president pro tem. of the Senate. Thurman asked that the election be by ballot, and [illegible] withdrew the resolution. Anthony and [illegible] were appointed tellers. Anthony nominated Ferry, of Michigan; Stevenson nominated Thurman. The ballot resulted—Ferry, 39; Thurman [illegible]. Ferry was declared elected. Escorted to the chair by Thurman, he briefly returned thanks for the honor conferred, and promised an impartial discharge of his duties.

[illegible] presented the credentials of Newton Booth, as United States senator, from California for six years from the 4th of March, 1875, which were read, and Booth was escorted to the clerk's desk by Sargent and the oath administered by Ferry.

On motion of Anthony, the Senate proceeded to the election of standing committees, having first suspended the rule requiring the chairman to be chosen by ballot. The list of standing committees was presented by Gorham. Chairmen are as before [illegible]. The positions of new Senators are as follows: Privileges and Elections, Cameron of Wisconsin, and McMillan; Foreign Relations, Johnston of Tennessee; Finance, Jones of Nevada and [illegible]; Appropriations, Eaton and Wallace; Commerce, Cameron of Wisconsin, Burnside, McMillan and McDonald; Manufactures, Booth, Bruce, Withers and [illegible]; Military Affairs, Burnside, Randolph and Cockerill; Naval Affairs, Whyte; Judiciary, Whyte; Postoffices, Jones of Nevada, Paddock, Dennis, Johnson of Tennessee, and Maxey; Public Lands, Booth, Paddock, McDonald and Jones of Florida; Pensions, Booth, Bruce, McDonald and Withers; Claims, Christiancy, McMillan, Cameron of Wisconsin, Caperton, Cockerill and Jones of Florida; District of Columbia, Eaton; Patents, Johnston of Virginia, Dawes and Kernan; Public Buildings and Grounds, Paddock and [illegible]; Territories, Christiancy, Sharon and [illegible]; Railroads, Caperton; Mines and Mining, [illegible] and Randolph; Revision of Claims, Christiancy, Caperton and Wallace; Education and Labor, Burnside, Bruce, Eaton and Maxey; Civil Service and Retrenchment, Randolph; Contingent Expenses of the Senate, Jones of Nevada (Chairman) and Dawes; Engrossed Bills, Withers; Levees of the Mississippi, Cockerill.

CANADA.

Railway Property Destroyed by Fire.

[illegible], March 9.—The Grand Trunk railway buildings at Port Saint Charles, comprising a large structure 400 by 100 feet, freight car repair shop and a brick building adjoining, the upper part of which was occupied as general offices, burned this morning. Loss estimated to amount to $100,000, insured for $60,000, mostly in American companies.

[illegible] to a considerable depth has again fallen on the Cascades between Jacksonville and [illegible]. The road over the same is in a bad condition.

THE TILTON-BEECHER TRIAL.

About that Young Lady.

NEW YORK, March 9.—The Brooklyn city court was comfortably filled to-day. Mrs. Tilton was present for the first time since the defense began the examination of witnesses.

Geo. W. Lincoln, proprietor of the hotel at Winsted, Conn., where Tilton stopped with a young lady, was the first witness and was examined by Tracy. He testified to Tilton's coming to the hotel with a lady apparently about 25 years of age, and asking for and obtaining adjoining rooms, and to seeing the young lady lying on the bed in Tilton's room and the latter in the room with his coat off.

Albert F. Norton

Testified to being a boarder in the Winsted Hotel, when Tilton was there, and seeing, in passing Tilton's room early in the morning, a young lady there partly dressed.

Samuel E. Belcher

Was the next witness. He testified to being a member of Plymouth church. Has known Tilton 20 years; lived in an adjoining house to him in Oxford street two or three years. Tilton asked witness to be act as an arbitrator in the Bowen difficulty, but witness declined unless he could get no one else. Witness met Tilton after the publication of the Woodhull scandal, and spoke about it. Tilton replied there was nothing in it. Witness told him he ought to know what his best friends said about him, and if he had a spark of manhood in him he would not allow his wife to lay under the charges made against her in that paper. Witness continued: "He asked me to accompany him to his house, which I did. When I got there, he produced a roll of papers, which he showed me and said unless a settlement was made for his broken contracts, this would be published. He read a portion to me, but I don't remember to what it related. I recollect a letter from Tilton to Bowen, however, in it. Tilton told me that paper, which was in type, was sent to Bowen with a statement that unless he settled with him (Tilton) the matter would be put in type. He then read to me what purported to be a retraction from Bowen, but I don't remember the substance of it. I recollect something in it about Bowen retracting charges against Beecher. Tilton showed me writings which set forth that Beecher, in Tilton's absence, had solicited his (Tilton's) wife to become to him all that a wife should be. I asked him if that was his wife's writing. He said no, it was a copy. I asked him how his wife treated Beecher's propositions. He said that she repelled them. He said he charged Beecher with this, and the latter said it was false, and the woman must be crazy. He said Beecher slipped out, and when he (Tilton) got home he found Beecher had obtained a retraction of the story. Witness said the papers were not in his hands, nor was he allowed to examine them. Tilton, referring to his wife's retraction given to Beecher, said she afterwards retracted the retraction, and that Beecher confessed and apologized.

Witness told Tilton that many people supposed he was the real author of the charges published by Woodhull. He replied people could see in the paper that she (Woodhull) was the party who first told me.

Witness asked Tilton if Beecher ever had sexual intercourse with his wife.

Tilton replied, with uplifted hand: "No! not my wife is pure as an angel from Heaven!"

Cross-examined by Fullerton: This was about two or three weeks after the publication of the Woodhull scandal. Tilton didn't read all the story to witness, only parts of it; don't remember if it was called "The True Story." Part of what Tilton read was printed and part in manuscript; don't think there was any connection between them; Tilton did not read the letter from Mrs. Stanton or Mrs. Davis, nor was anything said about them.

Fullerton here read a portion of "The True Story," but witness could not remember any part of it. Witness made no memorandum of what Tilton read to him; witness was unable to recall anything of what he heard read; did not remember if Tilton tried to impress him with the idea that his wife was guiltless.

Witness never said he would stand by Beecher, guilty or not, and never told Tilton so; don't know as he ever told the story so full as he tells it now; told the story of Tilton's denial of his wife's adultery to several parties; first told the story, as testified to-day, to Hill, of counsel for the defense, when about to go as witness before the church investigating committee, but didn't recollect what night. All the committee were present and a short-hand reporter, but don't know whether he took the testimony. Hill came to his house for him that evening. He did not tell the story to the committee as he had told it here. Don't remember whether he was asked to state all he know of the scandal. Was not sworn before the committee, and omitted all parts of my story relating to the printed matter and Mrs. Tilton's letter relating to the retraction. He was not going to volunteer information for which he was not asked. Did not know his pastor was on trial, although the committee were investigating the charges. Did not think his pastor needed any vindication from him. Could not tell a single question asked him by the committee. Thought questions were asked, but can't remember the purport. Was excited regarding these stories that got abroad about Beecher, but got over his indignation when Tilton disclaimed the authorship of them.

NEW YORK, March 9.—After recess the cross-examination of Beecher was continued. In regard to his testimony to the committee he could not recollect what he omitted to state. The time of his examination was very short. He didn't purposely omit anything. Hill came for him in a carriage to take him to the committee, but they had no conversation about what witness' testimony should be. Fullerton here read a portion of witness' testimony before the committee, but he couldn't recollect anything read to him as having been his testimony. Witness said "criminal intimacy" would mean more to him than a charge of improper proposals. The charge seemed to him to implicate both parties. He told West he didn't consider charges of "criminal intimacy" to mean adultery, but as surreptitious acquaintanceship. He was one of the committee to investigate West's charges. Went to see Tilton in company with Capt. Duncan. Saw him at the *Golden Age* office and had a conversation with him about the charges. Tilton said he was not a member of the church and would not appear before the committee. Fullerton read the committee's report to the church, but witness said he could not remember if that was the one submitted by the committee, he being absent when action was taken on it. When the report of the examining committee was read, Tilton was at the church, but no charges were made against him.

BY ATLANTIC CABLE.

The Boy-King Gives Audience to Serrano.

MADRID, March 9.—Alfonso yesterday gave audience to Serrano.

Wheat Looking Up.

LONDON, March 9.—This week's *Mark Lane Express* says since its last issue wheat has gained fully a shilling in price. There is a firmer feeling, and better demand throughout the trade. Nevertheless speculation is wholly wanting.

HALF AN EGG.

If statistics could be the saving of us, we ought to be in the very best plight at the beginning of a new year, for paragraphs are beginning to appear in all directions, telling us exactly how many pounds of bacon we have eaten in the year, how much tea, and how much whisky and gin we have consumed per head, and, in fact, all other things which a Christian ought to know and believe for the benefit of his conversation at small tea parties. This plethora of statistics reminds us of the story of a commission appointed in France to calculate the number of eggs laid in the country in the year 1872. When the reports had all arrived and the calculations had all been made, it was found that the total was forty-one thousand and fifty millions two hundred and twenty-two thousand and one hundred and three and a-half! Why this half? The calculations were all gone over again, but this half could not be got rid of. There was great sensation at the Ministry of Commerce; in all the corridors nothing was to be seen but secretaries, under-secretaries, clerks and messengers coming and going, and all busied about this half egg. At last one of the clerks found a report from a Mayor in the Franche-Comte, stating that in his district the number of eggs laid had been seventy-two thousand and a-half. A special messenger was at once sent to the Mayor to find out what he could possibly mean by this half egg. "Sir," answered the honest man, "I took notice of the fact that one of the hens in my district laid an egg on the boundary of my department. As a law-abiding man, I could not make a return of more than half of this egg. Had my colleague on the other side been as correct as I was, the two halves would have been completed, and you would have had your number of eggs entire." The worthy Mayor was thoroughly in the right, but the story seems to show that the love of accurate statistics may be carried too far.—*Pictorial World.*

ALBANY, Feb., 24.—George W. Chadwick, a New York broker, convicted of uttering a counterfeit United States bond four years ago, and sentenced to the Albany penitentiary for ten years, has been pardoned by President Grant.

PACIFIC COAST NEWS.

CALIFORNIA.

From San Francisco.

SAN FRANCISCO, March 9.—The second trial of Alfred Eckstein, for forging poll tax receipts, will commence in the municipal court Thursday next.

John J. Marks, ex-harbor commissioner, whose trial for embezzlement was set for to-day, came up in the municipal court this morning, but owing to the continued illness of D. J. Murphy, of the defendant's counsel, Attorney-General Love made a motion for the continuance of the case. The court thereupon put the case over till April 12th.

The trial of Thomas Nolan for the murder of Margaret O'Connor, was concluded in the 15th district court to-day. The jury, after 15 minutes' deliberation, returned a verdict of not guilty.

About 10 o'clock this morning Maria Bonnet, wife of B. Bonnet, the well known asphaltum contractor, attempted to assassinate a woman named Maggie Crowley, at her residence on Kearney street, firing three shots at her, one of which took effect in her head, but without doing serious damage. Mrs. Bonnet was incited to the act by the fact that her husband was living with the woman Crowley, leaving herself and children in almost destitute circumstances. She avows her determination to kill her at the earliest opportunity. Mrs. Bennet is lodged in the city prison.

San Francisco Stock Market.

SAN FRANCISCO, March 9.—Ophir 105¼, Mexican 29, B & B 48¼, H. & N 45½, Imperial 7¼, Kentuck 14¾, Confidence 17¾, California 64½, Overman 55, Union Con 9⅜, Savage 125, Point 20¼, Empire Mill 6, Alpha 102, Con Virginia 462½, Seg Belcher 32¼, Justice 80, Lady Bryant 8¼, Curry 17¾, Chollar 62½, Jacket 79¼, Succor 1¼, Sierra Nevada 13½.

EVENING BOARD.—Valley 8⅜, Pioche 4¾, Newark 1¼, Mansfield 14½, Elmore 3¼, Poorman 2½, Caledona 13⅜, Baltomore 8¼, Bullion 20, Dayton 2¼, Occidental 4¾, Woodville 4¼, O G Aill 3¼, Leo 1¼, R & Ely 55½, Belmont 6⅜, R Patch 3¼, G Chariot 5¼, S Chariot 2⅛, Empire Idaho 8, Knickerbocker 4¼, Bacon 4, Utah 6⅜, R Island 4¼, P Sheridan ⅜, Mint 65c, Indus 87c, Andes 9⅜, Eureka Con 16, Amn Flag 2¼, Prussian 2, Mahogany 9¼, War Eagle 3¼, Julia 5, Globe 1⅜, Eclipse 6, S Hill 6⅜, N Y Con 2⅜, Amn Flat 6⅜, Lady Washington 2, Seg Rock Island 1⅜.

Interior California.

TURLOCK, March 8.—A man named L. P. Lloyd committed suicide here last night, between the hours of 12 and 1 A. M., by drowning himself in a water trough. He was a native of New York, aged about 47 years. He had been on an extended drunk, and is supposed to have been in the *delirium tremens* when the act was committed. An inquest was held this afternoon, when the above facts were obtained.

Weather warm and pleasant; grain in a flourishing condition.

SAN DIEGO, March 9.—Hon. H. S. Stevens, Delegate to Congress from Arizona, and I. C. Truman, of the Guaymas and Tucson railroad, arrived here last evening from Tucson, en route East. They have some magnificent specimens from recently developed silver mines in Southern Arizona and are enthusiastic over the prospects. From Mr. Truman we learn that great numbers of people are now leaving the State of Sonora and pushing their way to Arizona and Southern California. The roads are lined with these emigrants.

A petition is circulating here and being very generally signed by our citizens for the commutation of the sentence of the Indian Sordo, now in jail under sentence of death, to imprisonment for life.

LOS ANGELES, March 9.—The Alvizo mill, which was burned last summer, has been rebuilt, and is now in operation.

The party that followed the Mexican horse thieves from Osuza have returned. They recaptured six horses in the head of San Gabriel canyon, and saw the Mexicans who stole them, but the thieves escaped.

The weather has been quite warm to-day.

THE TERRITORIES.

Perry Munday caught 5,000 pounds of white fish at a single haul, with a seine, near his ferry on Snake river.

Capt. P. B. Johnson, the newly appointed register of the land office, at Walla Walla, has entered upon the discharge of his official duties.

The Walla Walla *Union* of last Saturday says: "Stock as a general thing is doing pretty well; that is, they are living, and that is considered doing well just now. The mortality has nearly ceased, and unless we have some rough weather in the latter part of this month, there will not probably be much more loss, except now and then one animal that is poverty stricken already.

Walla Walla stock-raisers who have been making some observations during the winter, have proven to their own satisfaction, and to ours, that cattle of deep red color stand cold and starvation better than those of any other color. They say that if an animal be red with white spots, it will die sooner than one all red; and that the more white there is on them the more apt they are to succumb before the rigors of a hard winter; and that an animal all white stands a better show to make food for the coyotes than any other.

CHARLIE ROSS.

The Charlie Ross abduction still continues to excite attention at the East. The last sensation in connection with the mystery is thus recorded by the New York *Times* of Feb. 21st:

Some months since Superintendent Walling received information, which led him to believe that a peddler, named Edward Morris, who, when in the city, made his headquarters on the east side of the city, had some knowledge of the abduction of the lad, Charlie Ross, and probably could give valuable information in relation to his present whereabouts. Since that time Detective Selleck, of the central office, has been searching for Morris, but did not succeed in finding him until yesterday. It was alleged by the parties from whom Superintendent Walling received the information—that Morris had been a companion of Mosher and Douglass, the alleged abductors of the lad, and had been on intimate terms with them. It was also ascertained that he lived in Philadelphia at the time of the abduction, and had been seen in company with Mosher subsequent to the stealing of the child. From this it was surmised that Morris, if not a participant in the abduction, had some knowledge of it, and might give a clue to the whereabouts of the missing child. It was, therefore, deemed important to discover this man.

The detectives employed on the case traced Morris from Philadelphia to Baltimore and various other cities, and a close watch was kept on his usual haunts in this city, yet he could not be found, and it was therefore surmised that he was purposely keeping out of the way in order to avoid questioning by the police. On Friday, Isaac Morris, a brother of Edward was arrested, charged with abandoning his wife, and yesterday morning he was arraigned at Essex Market police court for examination. This fact was reported to Superintendent Walling, who sent Detective Selleck to the court in the hope that he might learn something of the man of whom he was in search. During the examination, Edward Morris appeared as a witness on behalf of his brother, and, at the close of the proceedings, was requested by Detective Selleck to accompany him to police headquarters, as Superintendent Walling desired to see him. Morris accompanied the detective to the office of the superintendent, where Mr. Walling had a long interview with him, the result of which was that the superintendent became convinced that although Morris had been intimate with the abductors of Charlie Ross, and knew a great deal about their movements, he could give no clue to the whereabouts of the boy. Morris was, therefore, allowed to depart, but will probably be kept under police surveillance for some time, at least.

OREGON.

No whisky retailed in Linkville.

Business in Ashland is rather dull.

The Ashland woolen factory has resumed work.

Jackson county farmers are very busy sowing wheat.

Thomas Smith, of Jackson county, has been adjudged insane.

Wasco county sent to the treasurer at Salem, last Saturday, $1,600, State tax due.

The Ashland variety troupe is in full blast. They will give an entertainment on Saturday, March 6.

The *Willamette Chief* tried to pull the *Shoshone* off her sandy bed near the shore of the river just below Salem.

The Virtue mine near Baker City, last week, turned out a gold bar worth $776 14, the result of thirteen days' run of the mill.

A hawk flew into the window of a saloon in Roseburg and took a canary from the cage, drawing it through the wires with his claws.

The dog poisoner is doing his worst among the canines around Silverton, Marion county. Several valuable "purps" have passed in their checks.

The Academy at Ashland is well attended this quarter. The commercial department is pretty well crowded, and there are about forty students searching for knowledge in the mercantile branch.

The annual report of the Recorder of Jacksonville shows the receipts of the town during the year ending February 8th, $843 82 and expenditures, $680 52. Balance on hand February 8th, 1875, $163 24.

The *Plaindealer* says: "The travel to and from Galice creek continues. Most of the comers and goers are pedestrians. Those returning report the Yank ledge rich, but no work to be had at living wages."

Mr. Beardsley, agent for the Alden Fruit Preserving Company of New York, which owns the patent right for this State and Washington Territory, informs us that he has sold the right to use the process in Yamhill county for $3,000 without any machinery.

Hon. W. R. Dunbar, Grand Worthy Chief Templar, on Saturday evening last, organized a Lodge of Good Templars at Perrydale, Polk county, with thirty members. Hon. Ira S. Townsend is W. C. T., P. C. Sears, W. S.; and A. L. Chitwood, L. D.

Last Monday the State Treasurer delivered and took receipts for the first lot of Modoc war bonds which have been issued, as follows: To S. Marks & Co., of Roseburg, 22 bonds of $1,000, one of $659. Total to them, $22,659 11. Also to Mr. James Walton, of Salem, one for $300.

Cal. Johnson was arrested last week and confined in the Baker county jail on a charge of participating in the stage robbery some two years ago near Baker City. Two or three Chinamen and one white man were also arrested last week for violating the United States revenue law.

A correspondent of the *Record* says: Mr. Mat. Small living a short distance from Silverton, purchased a sack of dirty salt last fall, and has been giving the same to his stock, since which time he has had several head of sheep, three Angora goats, two calves and one colt die. Mr. Small mistrusted a few days ago that it was the salt.

The *Times* says: "There were issued by the Jacksonville postoffice, for the quarter ending December 31, 1874, 252 money orders, amounting to $4,765 63. Orders to the amount of $1,351 76 were paid during said period. One hundred and ninety-two letters were also registered in that time." The *Times* was very slow in finding it out.

Mat. Ruckles was in Roseburg last Friday night. He is the discoverer of the rich ledge in the canyon south of Canyonville. Mat. informs the *Plaindealer* that the ledge prospects 30 per cent greenbacks; 40 per cent. soft soap, and the balance stone coal of a superior quality. It is expected, he says, that 15,000 men will be at work on the ledge by the first of May, and a movement is on foot to establish a daily mail line from Enchanted Prairie to the diggings.

The Jacksonville city election last Tuesday week passed off quietly, but nevertheless was a spirited one. Only 130 votes were cast, which is a comparatively small vote for Jacksonville. Agreeable to the new law passed by the last legislature, the saloons were closed during election hours. U. S. Hayden was chosen Recorder, Henry Pape Treasurer, P. McDaniel Marshal, and Silas J. Day Street Commissioner. The Trustees elected were C. C. Beekman, K. Kubli, Sol. Sachs, H. Judge and John Miller.

Salem is going to have a phantom party. The costume of each guest consists of a pair of white gloves, a large sheet, a square pillow-case, and a muslin mask made three-cornered, places cut to fit the eyes, nose and mouth. The pillow-case is arranged to represent two large ears. The reporter of the *Statesman* says if his nasal protuberance is to be shown, the whole masking might be omitted, as everybody would know his nose. Now, wouldn't the "two large ears" also be means of identifying him?

Concerning mining matters in Southern Oregon, the *Times* of last Saturday says: The weather of the past week has been rainy and disagreeable, so as to render prospecting and other mining developments almost out of the question, which may account for the sparseness of this class of news this week. Several citizens of Jacksonville have returned from Galice Creek, but report no further developments. There are about 150 people there at present, but large numbers are constantly coming and going, as the accommodations are not ample enough as yet.

The Jacksonville *Times* says: "The cinnabar deposits discovered in Sam's valley are reported to be exceedingly rich in the metal. This district is said to embrace about ten miles of country, several of which are already claimed. One of the locators claims that he does not exaggerate in the least when he says these mines will rival the New Almaden in point of abundance and richness. The rock is of a yellow cast, but when crushed exhibits a blood-red color, strongly impregnated with quicksilver. Some work has been done on these mines, and those interested are sanguine of having struck it rich."

DON'T KILL THEM.—The ordinary blue and white cranes so often seen along the banks of rivers and in fields near the rivers, deserve to be considered kindly by farmers for the good service they perform in ridding ranches of gophers. The crane, when he has made up his mind for a hunt, strides over a field until he comes upon a gopher's hole, and having determined that the gopher is at home, he takes a position almost directly over the hole and waits for the animal to come forth. This may not be for two or three hours, but, be the time long or short, the long-legged, long-necked, long-billed enemy remains drawn up in a heap, like a bunch of frozen misery, apparently oblivious of everything. As soon, however, as the gopher makes his appearance the crane has his eye upon him, and in a second the long, sharp bill is shot out, and the gopher ceases his evil practices.—*Sacramento Union.*

LENGTH OF DAYS.—At Hamburg, the longest day has seventeen hours, and the shortest seven; at Stockholm, eighteen and a-half hours, and five and a-half; at St. Petersburgh, nineteen and five; at Finland, twenty-one and a-half, and two and a-half. At Wandorbus, in Norway, the day lasts from the 31st of May to the 2d of July, the sun not getting below the horizon for the whole time, but skimming along very close to it in the north. At Spitzenbergen, the longest day lasts three months and a-half.

DECISION IN THE U. S. CIRCUIT COURT BY JUDGE DEADY.

United States Circuit Court, District of Oregon.

TUESDAY, March 9, 1875.

Marcus Neff v. Sylvester Pennoyer—Action to recover possession of real property.

1. *Power of a State over the property of non-residents.* A State has the power to subject the property of non-residents, within its territorial limits, to the satisfaction of the claims of her citizens against such non-residents by any mode of procedure which it may deem proper and convenient under the circumstances, and therefore may, for such purpose authorize a judgment to be given against such non-resident, prior to the seizure of such property and with or without notice of the proceeding.
2. *Proof of service in case of publication.* The proof of service required by § 269 of the Oregon Code to be placed in the judgment roll includes in the case of service by publication, the affidavit and order for publication as well as the affidavit of the printer to the fact of publication.
3. *Judgment roll not the whole record.* The judgment roll required by said § 269 is not the exclusive record of the case, but only a collection of papers and entries selected from the record for convenience and economy and sufficient in the opinion of the legislature to show the judgment of the court and its jurisdiction to give it; but the record is a history of all the acts and proceedings in the action from its initiation to final judgment which includes all the papers filed in the case and upon which the court acted in any step of the proceedings, and this record is of the same verity as the judgment roll which is made up from it.
4. *Evidence necessary to authorize order for publication.* In case of service by publication the record must show there was evidence presented to the court or judge who made the order for publication by affidavit, sufficient to prove the ultimate facts which bring the case within §§ 55 and 56 of the Or. Code allowing such service; and it is not enough that the affidavit repeats the mere language of the statute, it must contain facts and circumstances sufficient to prove these ultimate facts; but when a judgment is attacked collaterally it is sufficient if the evidence contained in the affidavits tends to prove such facts.
5. *Evidence of cause of action.* An averment in an affidavit for an order for publication, "That plaintiff has a just cause of action against defendant for a money demand on account," is a mere assertion of the fact of the existence of such cause of action—the opinion of the affiant to that effect—but is no evidence of it and is therefore insufficient to authorize such order.
6. *A verified complaint an affidavit.* A verified complaint as to the facts stated therein, is an affidavit and when it appears from the record that such a complaint, containing evidence of a cause of action against the defendant, was on file at the time of allowing an order for publication, the court will presume that such complaint was used as evidence therefor.
7. *Diligence to ascertain the place of residence of non-resident defendant.* When an order allowing service of a summons by publication, under §§ 55 and 56 of the Or. Code omits to direct that a copy of the complaint and summons be mailed to the defendant, addressed to his place of residence, it must appear from the affidavit that the plaintiff had used reasonable diligence to ascertain such place of residence and that it is unknown to him.
8. *Proof of publication of the summons.* § 69 of the Or. Code having provided that "in case of publication of the summons, the proof of service" shall be by "the affidavit of the printer or his foreman or his principal clerk," an affidavit to such a publication by one styling himself therein "Editor," is not within the statute, and therefore no evidence of the facts contained in it.
9. *Averment of service in judgment entry.* An averment of due publication of a summons in a judgment entry which appears from the whole record to be untrue or is not affirmatively supported by the facts contained in such record, is a nullity and may be disregarded.
10. *Presumptions in favor of jurisdiction does not apply where defendant only constructively served.* The common law presumption in favor of the jurisdiction and regularity of the proceedings of courts of record or general jurisdiction had its origin in the fact that at common law no judgment could be given against a defendant until he had appeared in the action; but no such presumption does or ought to apply in cases where the defendant is a non-resident and there was no appearance and only constructive service of the summons by publication.

DEADY, J.: This action is brought to recover the possession of a half section of land situate in Multnomah county, the same being donation claim 57.

It is alleged in the complaint that the plaintiff is a citizen of California, and the owner, and entitled to the possession of the premises which are worth $15,000; and that the defendant is a citizen of Oregon and wrongfully withholds the possession of the premises from the plaintiff.

The answer of the defendant tacitly admits the citizenship of the parties and the value of the premises as alleged in the complaint, but denies the ownership of the plaintiff and his right to the possession of the premises, and sets up a title thereto in himself. The defence of title in the defendant is controverted by the reply.

By consent of parties the cause was tried by the court without the intervention of a jury, on September 24 and 25, 1874, and afterwards submitted on briefs.

On the trial the plaintiff proved that a patent to the premises was issued to him by the United States on March 19, 1866, as a settler under the donation act of September 27, 1850, and rested his case.

Thereupon the defendant offered in evidence duly certified copies of the complaint, summons, order for publication of summons, affidavit of service by publication and judgment in the action of J. H. Mitchell v. Marcus Neff in the circuit court for the county of Multnomah, wherein judgment was given against the defendant therein on February 19, 1866 for the sum of $294 98; to the introduction of which papers the plaintiff objected, because: (1) said judgment is *in personam* and appears to have been given without the appearance of the defendant in the action or personal service of the summons upon him and while he was a non-resident of the State, and is therefore void; (2) said judgment is not *in rem* and therefore constitutes no basis of title in the defendant; (3) said copies of complaint, etc., do not show jurisdiction to give the judgment alleged, either *in rem* or *personam*; and (4) it appears from said papers that no proof of service by publication was ever made, the affidavit thereof being made by the "editor" of the *Pacific Christian Advocate* and not by "the printer or his foreman or his principal clerk." The court admitted the evidence subject to the objections.

The defendant then offered in evidence a certified copy of an execution issued upon said judgment on July 9, 1866, and the return thereon from which it appears that the premises in question were sold upon said execution to satisfy said judgment on August 7, 1866 to J. H. Mitchell for the sum of $341 60; to the introduction of which papers the plaintiff objected because the judgment in Mitchell v. Neff being given without jurisdiction, the execution was void, and further that the notice of sale upon said execution and attached to the return was no part of either and therefore should not be admitted. The court admitted the evidence subject to the objections.

The defendant then offered in evidence three papers purporting to be deeds to the premises to the defendant; the first being signed by Jacob Stitzel, Sheriff of Multnomah county, by C. B. Upton his deputy, on January 14, 1867, the second by said Stitzel, ex-Sheriff of said county, on July 24, 1874, and the third by E. J. Jeffery, Sheriff of said county, on July 21, 1874; to the introduction of which papers the plaintiff objected because, as to the first one: (1) It was not made to the *purchaser* at the sheriff's sale; (2) It is not sealed, witnessed or properly acknowledged as a deed; as to the second one: (1) There being no valid judgment proved, the instrument is no link in the chain of title; (2) It was not made to the *purchaser* at the sheriff's sale; and as to the third one, for the same reasons as in case of the second one, with the additional one: That it was not executed by the officer making the sale. The court admitted the evidence subject to the objections.

The defendant then offered in evidence an assignment by J. H. Mitchell to the defendant of the certificate of purchase of the premises, dated August 10, 1866, to the introduction of which the plaintiff objected, because: (1) There being no valid judgment the assignment is not evidence of title in the defendant; (2) If there were a valid judgment to support the sale to Mitchell, the assignment would pass a mere equity to the defendant, to enforce a conveyance from the former after he had received one from the sheriff, and therefore it is not evidence of title in the defendant. The court admitted the evidence subject to the objections.

The defendant having rested, the plaintiff offered in evidence a duly certified copy of the judgment roll in Mitchell v. Neff, which contained not only the complaint summons and other parts of the record of that case already introduced by the defendant, but also a copy of the affidavit of the plaintiff therein, upon which the order for publication was made; to the introduction of which the defendant objected because said affidavit was not properly a part of the judgment roll. The court admitted the evidence subject to the objections.

Upon this evidence, the right of the plaintiff to recover is admitted, unless by virtue of the sale of the premises upon the judgment in Mitchell v. Neff and the subsequent assignment of the certificate of purchase and the conveyances to the defendant, the legal title passed from the plaintiff to him.

Admitting that the proceedings in Mitchell v. Neff were duly taken according to the statute of the State in the case of non-resident debtors, what was the effect or force of the judgment as against the person of the defendant or his property? It is admitted on all hands that such a judgment is not binding in personam. Story's Con. of Laws, § 539; D'Arcy v. Ketchum, 11 How. 174; Galpin v. Page, 18 Wall. 367. And this rule is expressly declared in the Or. Code of C. P., § 508, as follows: "No natural person is subject to the jurisdiction of a court of this State, unless he appear in the court, or be found within the State, or be a resident thereof, or have property therein; and in the last case only to the extent of such property at the time the jurisdiction attached."

Neither is it claimed by the defendant that this judgment had any other or greater effect than to enable the plaintiff therein to subject this property to the payment of the debt owed him by Neff.

But the plaintiff maintains that the court, in M. v. N., could not acquire jurisdiction to reach the property of a non-resident or subject it to the payment of his debts, owed in this State, except by the actual seizure of such property contemporaneous with the commencement of the proceeding or before the rendition of the judgment therein.

In support of this position the case of Galpin v. Page, decided by Mr. Justice Field in the circuit court for the district of California, on August 31, 1874, is cited. In this case the learned judge, after showing that "The tribunals of one State have no jurisdiction, and can have none, over persons and property without its territorial limits," proceeds as follows: "But over property and persons within those limits the authority of the State is supreme, except as restrained by the Federal Constitution. When, therefore, property thus situated is held by parties resident without the State, or absent from it, and thus beyond the reach of the process of its courts, the admitted jurisdiction of the State over the property would be defeated, if a substituted service upon the parties were not permitted. Accordingly, under special circumstances, upon the presentation of particular proofs, substituted service, in lieu of personal service, is allowed by statute in nearly all the States, so as to subject the property of a non-resident or absent party to such disposition by their tribunals as may be necessary to protect the rights of their own citizens. * * * *

A pure personal judgment, *not used as a means of reaching property at the time in the State*, or affecting some interest therein, or determining the status of the plaintiff, rendered against a non-resident of the State, not having been personally served within its limits, and not appearing to the action, would not be a judicial determination of the rights of the parties, but an arbitrary declaration by the tribunals of the State as to the liability of a party over whose person and property they had no control. The validity of the statute can only be sustained by restricting its application to cases where, *in connection with the process against the person*, property in the State is brought under the control of the court and subjected to its judgment, or *where the judgment is sought simply as a means of reaching such property* or affecting some interest therein, or to cases where the action relates to the personal status of the plaintiff in the State."

But I see nothing in this language or the rule as there laid down, which supports or gives countenance to the position of the plaintiff, unless it be in the statement that the statute giving the right to proceed by publication against non-residents of the State is valid only when restricted "to cases where in *connection* with the process against the person, property in the State is brought under the control of the court and subjected to its judgment."

Now the property was "brought under the control of the court and subjected to its judgment" in M. v. N., if at all, by the execution which issued upon the judgment. This process, against the property of Neff was issued to enforce the judgment given in pursuance of the process against his person. The one was the inception and the other the completion of the proceeding, and so they were connected together as the links in a chain. Certainly, the process against the property could issue in *connection* with the process against the person without being exactly simultaneous with it. They were related parts of the same proceeding.

Besides, this judgment, though personal in form was procured, intended and used simply *as a means of reaching the property* of Neff then within the State, and according to the rule in Galpin v. Page, *supra*, is so far valid and binding.

But the power of the State over the property within its limits, of non-residents being supreme, and it being admitted on all hands that the State may subject such property to such disposition by their tribunals as may be necessary to protect the rights of its own citizens, in my judgment, the *mode* of exercising this power is a matter for the State to determine. In the exercise of this power it may require that the proceeding be strictly *in rem* and commenced by the seizure of the property, or it may, as provided in this State, upon the proper preliminary showing, permit a suit to be maintained against the non-resident by name—nominally—for the purpose of enabling the plaintiff therein to first judicially establish his right or claim against such non-resident, and then authorize the seizure and disposition of the property so as to satisfy the same. In either case, the final result is the same; while the latter mode of proceeding has this to commend it over the former, that it does not permit the seizure or interference with the property of the non-resident until the right or claim of the citizen in or to it is satisfactorily established.

Nor does it appear to me that the State is bound in any case to provide for giving notice to the absent party by publication of the summons or otherwise. That matter pertains to the *mode* of proceeding over which the State has absolute control. The notice usually given is merely constructive, and in a large number, if not a majority of cases, gives no information to the absent party. Of course it is the duty of the State to deal justly and considerately with non-residents who have property within her jurisdiction, and therefore it should provide as far as practicable that no proceeding should be taken in her courts to affect such property, without notice to the owner.

It being shown that the State has the power to subject the property of non-residents to the payment of debts owing to her citizens by such a proceeding as may by law be provided, including one in which such property is not seized prior to judgment, but thereafter, and then only for the purpose of satisfying said judgment, it remains to be considered whether the judgment in M. v. N. was given by a court having jurisdiction to do so according to the laws of the State.

The plaintiff maintains that the court acted without jurisdiction, because it appears from the record: (1) That the order of publication was made without evidence that Mitchell had "a cause of action against" Neff; or (2) That any diligence had been used to ascertain his "place of residence"; and (3) That the service of the summons was not proved as by statute provided.

In the consideration of these objections two questions arise which must first be disposed of, namely: What constitutes a judgment roll, and is it the only part of the record of the court which may be inspected upon an objection to its jurisdiction?

As to what constitutes a judgment roll in this State there has been no decision by the Supreme Court of the State, and therefore this court must construe the statute on the subject for itself.

The Code of C. P., § 269, provides that "the clerk shall prepare and file in his office the judgment roll," "if the complaint has not been answered by any defendant" by attaching "together in the order of their filing, issuing and entry, the complaint, summons and proof of service, and a copy of the entry of judgment."

The law of this State at the date of the proceedings in M. v. N., provided that whenever personal service cannot be made upon the defendant, and "after due diligence he cannot be found within the State, and when that fact appears by affidavit to the satisfaction of the court or judge thereof, and in like manner it appears that a cause of action exists against the defendant," "such court or judge may grant an order" allowing constructive service, to be made in the case, by publication, of the summons, "among other cases, when the defendant is not a resident of the State, but has property therein, and the court has jurisdiction of the subject of the action." Code of C. P. § 55.

In the case of M. v. N. there was an order granted by the judge allowing service of the summons to be made by publication, under this section. What then constitutes the proof of such constructive service and is therefore a necessary part of the judgment roll? The question is not altogether free from difficulty, principally because § 69 of the Code in prescribing, what "proof of the service of the summons" shall be, provides that if served by the sheriff, his certificate thereof; if served by any other person, his affidavit thereof; and "in case of publication, the affidavit of the printer or his foreman or his principal clerk, showing the same."

On behalf of the defendant it is maintained that § 69 limits the effect and scope of the phrase "proof of service" as used in § 269 to the affidavit of the printer touching the mere fact of publication of the summons in the newspaper. But, because the effect of the phrase is so limited in § 69—the "printer's" relation to and knowledge of the subject beginning and ending with the fact of such publication—it does not follow that the legislature intended it should be so understood and applied when used elsewhere in the Code, particularly when the natural signification of the words and the plain import of the context, as in § 269, require that it should be construed to include other facts than this one.

The judgment roll of the Code is a mere collection of papers and copies of entries in the case, sufficient, at least, to show a *prima facie* case of jurisdiction in the court and the exercise thereof until a final determination of the controversy, so far as the particular proceeding is concerned. As its name implies, it is the roll or record of the final determination or judgment, and not of the entire proceedings in the case. Among other things, the proof of service is directed to be placed in such roll, because, without it, it would not appear therefrom that the court had jurisdiction to give the judgment. But how does the mere affidavit of the printer as to the publication of the summons show a *service* of the summons? It cannot appear from such affidavit that any court or judge ever ordered publication of the summons, or, if so, in that particular paper or for that length of time. Such an affidavit may be made and filed in a cause and placed in the roll without any order for publication having been made, or, if there was one, without the publication proved by it being in any essential in accordance with it.

"The proof of service," in a judgment roll, must, according to the natural signification of the words, and the obvious purpose of § 269, include not only the fact of delivery or publication of the summons, but the authority to do so. In the case of service by a sheriff his certificate of delivery to the defendant would not be sufficient proof of service, unless it contained evidence of his authority—that it was done in his official character; and so when the service purports to be by publication, it is not *proven*—shown, established—until the authority to publish is proven as well as the publication itself.

This proof—proof of service of the summons—the Code directs to be placed in the judgment roll as a part of it. What constitutes such proof depends upon the circumstances of the case. Where the service is by publication, it must include not only proof of the fact of publication in a newspaper, but the authority therefor. Nothing short of the order of the court allowing the publication will suffice for this purpose; and unless such order state that the facts necessary to give jurisdiction appeared by affidavit, it should include the affidavit also. Admitting that an order for publication containing the statements suggested would be *prima facie* sufficient, yet the full and complete proof of the service should include the affidavit upon which the order was made.

The only authority cited, which differs from this conclusion, is Hahn v. Kelly, 34 Cal. 403, in which it was held that neither the affidavit for the order for publication nor the order itself were a part of the judgment roll and that the only proof of service, of the summons which it need contain is the affidavit of the printer to the fact of publication. The court admitted that "the proof of service by publication" should include the affidavit and order of publication, because "in point of law they constitute a part of the mode" of such service; and this itself is sufficient reason why the statute should not have been so construed as to *exclude* them. In the same court the previous cases of Braly v. Seaman, 30 Cal. 610, and Forbes v. Hyde, 31 Cal. 342, were considered and decided upon the theory that the affidavit and order for publication were a necessary part of the proof of service and therefore a constituent of the judgment roll. "Counsel eminent for learning and ability," who argued these important cases, "assumed and therefore conceded that they were a part of the judgment roll; and there can be no doubt that the rule first announced in Hahn v. Kelly was a wide departure from what had been understood and assumed by the bench and bar of that State.

In Galpin v. Page, *supra* 21, Mr. Justice Field held that the proof of service must include the affidavit and order for publication. In considering the question he says: "Now it is evident that the language of the statute in the first title mentioned, declaring what shall be proof of service of the summons, must be limited to the action of the persons making the service or publication, of which the sections immediately preceding in the same title speak, as if the language were as follows: 'Proof of the service of a summons by the sheriff or other person, or by a publisher of a newspaper, as above, provided, shall be as follows.' The obvious meaning intended is, that the proof of service which the parties performing the particular duty prescribed must furnish, shall be the certificate or affidavit designated. It does not mean that such certificate or affidavit shall be all that is required on the subject of service, but only all that is required of those particular persons. Any other construction would lead to this absurd result, *that an affidavit could be used to establish conclusively, a fact to which it makes no reference.* Publication of a summons in a newspaper is not service of the summons, nor is an affidavit of such publication proof of service. The publication, to be of any avail, must be in a paper designated and for the period prescribed by the order of the court or judge. The terms of such order must therefore be connected with the affidavit, or the proof will amount to nothing. The affidavit, by itself, is only a portion of the proof, a solitary link in the chain required. The printer is not supposed to know anything of the order, and is not called upon even to refer to it in his affidavit:

"When therefore the record of the judgment comes to be made up, it must necessarily include the order of the court, or it will disclose no proof of service. And when the statute requires the clerk to attach with other papers

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The Daily Oregonian.

WEDNESDAY MORNING, MARCH 10, 1875.

NEW HAMPSHIRE ELECTION.

A private dispatch received in this city last evening from Concord, New Hampshire, says the Republicans have carried the State, electing their candidate for Governor, a majority in both branches of the Legislature, and the members of Congress.

AMERICAN IDEAS IN SCHOOL.

A day or two since we published a communication, in which the writer advocated, with much practical sense, the making of phonography, or short-hand writing, a branch to be taught in the public schools. Some arguments may be urged against anything beyond the English branches being embraced in the public school course. We do not here assert that such arguments ought to have controlling influence in the organization of the public school system. The tendency of public sentiment as manifested at the principal centers of population in the Atlantic States, as well as on this coast, at present, is toward the elevation of the standard of public school education, and high schools in some form, supported by taxation, are found in most of the cities and larger towns. We have always felt disposed rather to commend this tendency in general terms than to criticise on special grounds; as we firmly believe that the ignorant classes are the dangerous classes in any civilized community, and the more especially in a community founded on the principle of self-government.

And this brings us to a matter which is entirely overlooked in the common school systems of the various States. We refer to the science of government. By this is not meant the knowledge how to rule over people, but a knowledge of the elementary principles that underlie our system of government. It is really surprising that, while provision is made for the instruction of the youth of the land in the rudiments of the sciences most useful in the ordinary affairs of life, nothing is said in the statutes in regard to having them taught the rudiments of republican government. Such instruction does not involve the teaching of any particular party's creed. There are certain fundamental principles upon which there can be no difference of opinion. There are certain central ideas concerning the relationship between government and governed which all accept. They are not party ideas, but American ideas. The sacredness of the constitution, and the obligation of the highest officers, and even the law-making power itself to obey, support and defend it, are ideas unknown in Europe Governments. There is no other constitutional government, in the same sense in which the phrase is used in this country. There is no other country in which the highest power recognized, sitting above the legislative authority is a written statement of the limits beyond which the government itself must not go. What this constitution is, what its general scope and purport, could be taught to all, and no reasonable person would think of objecting that this was partisan instruction. The great importance of obedience to it, as the highest law of the land, could be instilled into the young mind, and no one would say the lesson was not one eminently proper for every child to learn and to become familiar with.

The supremacy of our constitution, over the Congress and the President, and every other power known in our form of Government, involves another idea that is purely American, and which should be impressed upon every child till it is firmly fixed as a landmark of his political faith; and that is, that constitution and laws are the only object of loyalty consistent with the theory upon which our government is founded. There can be no such thing as personal loyalty to rulers, without danger of shipwreck to the whole system. There is no flesh-and-blood fealty in America. Allegiance to the government means only allegiance to the government of law, not to any arbitrary authority. Treason to the constitution is high treason of the most dangerous sort that can be conceived, though it may not always be the most promptly apprehended and punished.

The substance of the Constitution, and these and other general American ideas connected with it, are within the comprehension of any lad fourteen years old or upwards who possesses ordinary intelligence. Why not, then, have them regularly taught? They are of more importance to the citizen, than geography or grammar, though these need not be neglected by any means. As they lie at the foundation of our government, and as the prosperity and even the perpetuity of the government depends upon the intelligent exercise of political rights by the masses of the people, it is of the last importance that the public mind should be thoroughly imbued with American principles. The propriety of this branch of instruction being taught in the public schools has been officially recognized in some of the States by Educational boards, and text books on the subject have been recommended for use in the schools. This has been done in Oregon, but we doubt if anything has been attempted in a single public school in the State toward carrying the recommendation into practical effect. While we are having our high schools at public expense, let us have a little instruction such as is especially calculated to benefit the public in its corporate capacity.

ANOTHER PLACE FOR MONEY.

The *Tribune's* Washington correspondent says: The Secretary of the Navy has found another opportunity for trying experiments of a costly character with government money. In an official letter to the chairman of the Senate naval committee, he speaks in high terms of a system of mounting and protecting counterpoise guns, known as the "Ridgeway Battery," and he thinks it would be very advantageous to the service if the department could arm at least one of our iron-clads according to this new system, which he thinks would relieve the vessel from the necessity of carrying heavy turrets and allow the ship to be more heavily armored. He thinks the *Puritan* would be the proper iron clad to select for the experiment. He asks for $500,000, and closes by saying that a ship armed in the manner he desires would add very largely to the efficiency of our naval force, and that an appropriation would be an act of wise statesmanship.

A Berlin writer says the Landsturm bill which has just become a law in Germany "will control some two million men, who are, when in service, to be organized like the army, are to be called out on the proclamation of the Emperor without the approval of the Councils and may, when necessary, be used to fill up the ranks of the Landwehr. These are the essential features of this important measure. Whether an opportunity will soon arise to make it practically effective no human being can say; but it is evident it adds immensely to the defensive power of the Empire."

PENNSYLVANIA POLITICS.

THE SECRET OF POWER.

Crawford, the racy Washington correspondent of the Pittsburgh *Leader*, turns his attention for a moment from national to State politics and politicians. And thus he proceeds under date Feb. 21:

It is interesting to turn for a moment from the corruption of Washington political life, and rest one's eyes upon the peaceful and pure expanse of Pennsylvania politics. I beg pardon, that used to be my custom, but since a short time ago my eyes have had to leave Pennsylvania politics when I have calm and rest.

But not to aggravate the reader any longer with persiflage, I will tack about and bear down upon the subject in hand—Pennsylvania politics, its dark and mysterious ways. Some time ago a friend placed in my hands a mass of matter in relation to Pennsylvania state rule, from which I have taken a few points, which I am sure will interest readers in that State. One of the most interesting points is an explanation of

MACKEY'S POWER.

This explanation will raise a howl of denial by the dog-collar organs, but a denial can never injure facts that rest upon a foundation like the one which will now be given. Mr. Mackey wields nearly as much despotic power in the State of Pennsylvania as could any king in olden times. Just how he got to his present position of power I leave to others to explain. The way he retains his vast power is by keeping up a vast revenue. He has the political assessment business down to a nicety. He sets up his conventions, and then makes bargains with the candidates that he selects. They have to agree to pay half of the salary of their offices to Mackey, or else he knocks them quietly on the head, figuratively speaking, and sets up more impecunious and weaker men. The items of Mr. Mackey's salary in Allegheny county alone at present foot up as follows. The items enumerated represent one-half of the salaries of the positions:

Allegheny bank assessor	$1,250 00
Flour assessor, with perquisites	3,250 00
Sealer of weights and measures	1,700 00
Total	$6,200 00

In Philadelphia Mr. Mackey receives nearly three times as much as he does in Allegheny county. Then taking the average of the counties throughout the State, they bring him about forty per cent. of the amount collected from the offices in Allegheny county. Forty per cent. of $6,200 is $2,480. As there are, I believe, sixty-six counties in Pennsylvania, you can approximate Mackey's income from political sources. Deducting Allegheny county and Philadelphia, we have sixty-four counties netting $4,480 a-piece, making an aggregate of $158,520. Then we have now the following interesting table:

Allegheny county	$6,200 00
Philadelphia	19,600 00
State at large	158,520 00
Total Mackey's income	$183,520 00

I wonder, if the income tax were restored, if Mackey would put in a return of one hundred and eighty-three thousand, five hundred and twenty dollars!

Is it any wonder that Mr. Mackey has a little power in Pennsylvania? With an income of an odd $180,000 or so, it would be a little wonderful if he did not manage to get on. Is it so surprising that the Harrisburg legislature has been in times past so corrupt? Members from rural life, where a thousand dollars is a fortune, must have fallen easy victims to a power that had control of money without stint.

Do any of the Mackey men wish to deny the pleasant little statement above? I can but inform them that it is useless. Proofs can be furnished that under the Mackey system the holders of office under the control of his political organization have been forced to regularly divide their salaries.

A MYSTERIOUS LOAN.

Under this head may be found a paragraph of interest to the present State legislature. Let an investigating committee be formed at once to look into the past management of the State treasury under Mackey. Let this investigating committee ask Mackey one question, and that as follows:

"Mr. Mackey, what has become of the $230,000 loaned out of the State funds, when you were treasurer, to the Allegheny Valley railroad?"

It is not to be doubted that this will prove the hardest conundrum ever propounded to Mackey. Although he has unlimited resources to stand between him and an answer, yet there ought to be found a committee earnest and courageous enough to push an answer. The fallen fortunes of the Allegheny Valley railroad carried down with them many a mystery, but none more so than this $232,000 loan. Was it ever returned? Where did it go? Doubtless Mr. Mackey would be happy to enlighten an investigating committee upon the matter. Others will be found friendly enough to assist Mr. Mackey's memory should it be attacked with the Schumaker's weakness.

ANOTHER LOAN ABOUT WHICH IT WOULD BE MANIFESTLY IMPROPER TO ASK QUESTIONS.

It is with a feeling of shivering pain that I approach the subject of this paragraph. If there is any person I have reverence for it is, for the editor of a dog-collar organ, that barks at so much a column for the administration. Such an organ occupies a lofty pedestal, and it sneers and reviles at common people, who have ideas of their own, and in a manner that it is painful to contemplate any such organ with anything but a subdued sense of your own failings, failings that must be apparent to the argus eyes of the pure and lofty organ.

Russell Errett is the subject who is to be fondly embraced in this paragraph. Come, billier, Russell! Oh, great and good man, did you not, seven weeks ago, make your paper teem with lively paragraphs about the wicked Donn Piatt's receiving a $5,000 loan from Irwin? How fascinating must have been the subject of that loan to you! The amount must have awakened pleasant memories. You felt that you, as a Pittsburgh journalist, was not alone (no pun) in this business of accepting small favors from your friends. If it would not be impertinent, will you gratify the public—the interested tax-payers, who read with gloomy joy your pure and upright administration editorials—by answering a question or two. Did, or did you not (You did, didn't you?) borrow of Robert W. Mackey when he was state treasurer, $5,000. Further, while you may not be clear just where the funds advanced you on your personal note came from, will you please state whether your unpaid note is not yet among the papers of the state treasury department? The investigating committee that question Mr. Mackey, might, if it were not too fearful of a breach of decorum, ask Mr. Errett about this.

There are some other interesting points which I hope to be able to give you at an early day, should the above prove not clear enough in point of statement. I find such a similarity between Washington and Pennsylvania politics that I hardly know "tother from which."

DEATH OF A PROMINENT CITIZEN OF VIRGINIA.—Richmond, Feb. 24.—Colonel Thomas D. Wayne, a prominent citizen of Richmond, died to-day. He was highly esteemed, and has held many positions of trust, including that of president of the city council, president of the Richmond and Petersburg railroad, member of the House of Delegates, and State senator, and holding the latter position at the time of his death. Colonel Wayne also understood theoretically and practically the science of machinery better than any man in the city. He was 56 years of age.

Gov. Grover has appointed N. H. Dodson a commissioner of deeds for Oregon, to reside at Santiago, California.

STEALING A NEWSPAPER.—The *American Register* has just had an adventure which is probably unique in the history of journalism. A dishonest employee tried to steal the journal. Two editions are published, one for London and one for Paris, and the London business clerk took it into his head to appropriate the former. He got up a paper called the *American Traveller*, a fac simile of the *Register* in everything but this one word, and which would deceive any one when folded upon the news-stands. He copied all the advertisements, and then called upon the advertisers to read a letter from the proprietor, as he alleged, which said that the *Register* was to be withdrawn in favor of the journal he exhibited. Many of the advertisers were taken in, as this man had long been dealing with them for the *Register*. Fortunately the plot was discovered in time. The owner of the office of the *Register*, which had been appropriated for the new paper, happened to be a newspaper man, and when the dishonest clerk was kicked out of doors he helped to expose the audacious game. The curious part of the affair is that it came very near succeeding. It is the first time I ever heard of trying to steal a newspaper.—*Paris Letter.*

TRANSIT OF VENUS.—Detroit, Mich., Feb. 24.—A letter from Professor Watson, dated Peking, China, Dec. 10th, communicates the information that he and his party succeeded in observing the transit of Venus, though observations were much interfered with by passing clouds; still they observed well all the contacts, and succeeded in getting ninety-nine photographic negatives of the transit.

"Madame," said a snarling son of Esculapius, "if women were admitted to Paradise their tongues would make it a purgatory." "And some physicians, if allowed to practice there," retorted the lady, "would soon make it a desert."

NEW TO-DAY.

THE BEST AND CHEAPEST BREEDING CAGES and BABY CARRIAGES are at Ackerman's Dollar Store.

SASH-RIBBONS. Col'd Gro. Grain Ribbons and Ladies' Silk Ties, for sale by JOHN WILSON.

FOUND.
ON EIGHTH STREET, A FUR CAPE. THE owner can have it by calling and paying for this advertisement, on D. D. BRIGGS, Washington street, 2d door east of Fourth. mar10d2t

THE LAST NOVELTY!
Mulligan Guard Paper Collar!
For sale by FISHEL & ROBERTS, Cor. First & Washington sts. mar10d1m

WINDOW GLASS.
100 Boxes
AT COST OF IMPORTATION
FROM ENGLAND,
Sizes from 16x24 to 26x38,
IN LOTS TO SUIT.
FOR SALE BY
GEO. L. STORY,
PORTLAND.
Orders can be left with J. M. CRAWFORD, at KILBOURN'S AUCTION HOUSE.

Special Sale of Furniture, Carpets, &c.
THIS DAY,
WEDNESDAY, MARCH 10, 1875,
At 11 o'clock A. M.
I will sell on the premises, Sixth Street, between Oak and Pine, on account of departure, the Entire Furniture of the above house, consisting of
1 very Fine Upright Piano, nearly new, and of splendid tone.
Elegant Parlor Set.
Bedroom Sets, Diningroom and Kitchen Furniture.
Brussels Carpets, Mattresses.
Pictures, Mirrors, Crockery and Glassware, Stoves, &c.
OSCAR KILBOURN, Auctioneer.

PARLOR SUITS.
In Silk, Terry, Reps, Plush and hair cloth made in the most thorough manner by the
OREGON
FURNITURE MANUFACTURING COMP'Y,
PORTLAND.

MACHINE OILS!
LARD OIL, CHINA OIL, DOG FISH Spindle-oil and Castor-oil,
IN LOTS TO SUIT.
HODGE, CALEF & CO.,
DEALERS IN
Drugs, Paints, Oils and Glass,
75 Front Street.

MANILA PAPER ALL SIZES and WEIGHTS AT THE AGENCY OF CLACKAMAS MILLS, 72 Front street.

L. H. WAKEFIELD. JOHN BARROWS.
WAKEFIELD & CO.,
DEALERS IN
CUMBERLAND, LEHIGH,
And all kinds of
COAL.

ADVANCES MADE ON CONSIGNMENTS OF Produce, and personal attention given to the purchase and shipment of Merchandise and the sale of Oregon Produce.
San Francisco, Oct. 1, 1874.
A. P. HOTALING, San Francisco. E. C. LORD, Portland
A. P. HOTALING & CO.,
Sole Agents for the J. H. Cutter
Old BOURBON WHISKY
And Importers of
FINE WINES AND LIQUORS.
431 Jackson St., San Francisco,
And 25 Front Street, Portland, Oregon.

JAS. L. KING, Notary Public. EDW'D CHATTIN, Commissioner for Oregon
KING & CHATTIN,
(Successors to F. J. Thibault, deceased,)
Notaries Public, Commissioners of Deeds
For all the States and Territories,
CONVEYANCERS,
REAL ESTATE AND GENERAL AGENTS
Office—442 California St., San Francisco, California.
Particular attention given to the taking of Depositions. dis16m1pw6m

WANTED!
ALL KINDS OF RAW FURS FOR SHIPPING. Also, choice qualities for Home Consumption, for which we will pay the HIGHEST PRICES.
RUMMELIN & GUTMANN,
Manufacturing Furriers, 56 First street, between Stark and Oak. fe18d2p3m

AMUSEMENTS.

SOCIAL HOP!
GIVEN BY
Peerless Division No. 2,
SONS OF TEMPERANCE,
AT GOOD TEMPLARS' HALL,
On Thursday Evening, March 11, 1875.
MUSIC by the PROGRESS CLUB BAND.
Dancing to commence at 9 o'clock.
Tickets $1 00—to be procured from any of the members, or at the door. mar9d3d

SKATING RINK.
Grand Masquerade!
SATURDAY EVENING, MARCH 13, 1875,
Admission 50c. Reserved seats 75c.
Hereafter the Rink will be open every afternoon from 2 to 4. Ladies will be furnished skates free; Gentlemen 25c.
Saturday night from 8 to 10, MUSIC. Admission 25c (Ladies free.) Use of skates 25c.
H. C. MORRICE, Lessee.

FIFTEENTH
ANNUAL BALL
OF THE
PORTLAND
Hibernian Benevolent Society,
AT
MASONIC HALL,
Wednesday Evening, March 17, 1875.

Floor Managers.
M. Moynahan, Daniel McGill,
T. Coyle, Thomas McKay,
J. J. Winters, Terrence McLaughlin,
M. Gleason, John M. Gearin,
P. J. Goodman, N. O'Neil,
T. B. McDevitt.

Reception Committee.
E. Cahalin, Frank Gatens,
W. J. Kelly, William Healy,
M. J. Gleason, John Donovan,
W. Casey, John Morgan,
R. B. Sinnott, John E. Walsh,
T. Brandon.
Tickets admitting a Gentleman and Ladies $2 50

THE
German Aid Society
OF THIS CITY
WILL GIVE A
Bazar and Grand Ball!
ON
APRIL 5, 6, 7 and 8, 1875,
AT THE
SKATING RINK!
The Proceeds will be applied to the Erection of a German Hospital.

SPECIAL SALE,
OF
HOUSEHOLD FURNITURE.
I will sell on the premises corner Second and A streets, on
THURSDAY, MARCH 11, 1875,
At 10 o'clock A. M.,
1 Rosewood Piano.
1 Fine Set Parlor Furniture.
1 Mirror.
1 Center Table.
1 Whatnot.
1 Velvet Carpet.
ALSO,
1 Walnut Bedroom Set.
2 Cottage Bedroom Sets.
ALSO,
Hair and Spring Mattresses.
Blankets, Bedspreads, Feather Pillows and Bolsters, Sheets, Pillow Slips, &c.
ALSO,
1 Walnut Extension Table.
Crockery and Glassware,
Silver Plated Castor, Forks, Spoons, &c.
ALSO,
Parlor and Bedroom Stoves.
ALSO,
Kitchen Furniture.
A. B. RICHARDSON, Auctioneer.

NEWARK
LAND COMPANY.
San Francisco Bay, Alameda Co., California.
Title Perfect. Incorporated.
THE NEWARK LAND COMPANY IS NOW ASsuming shape: the Guarantee Fund paid in. This Company will be prepared in March to take 3,000 people by steamboat and railroad to their town and lands in one excursion, which will be advertised. By reference to the Coast Survey Chart it will be seen that at Potrero Point, in front of Newark, the deep water comes all the way through the channel from the Pacific, with the C. P. R. R., running in a direct line through Livermore Pass, making this the connecting point between all parts of the United States and by deep water to all parts of the globe and the greatest manufacturing point on the Bay of San Francisco—plenty of water, good climate, excellent soil and easy communication. This land will be sold at auction in April in acres and lots. This company will commence active operation in building etc. soon. For all information, circulars, maps and subscription, apply at the office of the Company, 405½ California street, basement, opposite Bank of California, San Francisco.
CHAS. R. PETERS, Manager.
mar9d1m

OSCAR KILBOURN,
AUCTION AND COMMISSION MERCHANT,
Corner First and Pine Streets,
WILL PURCHASE AND SELL REAL ESTATE, Merchandise, Furniture, Etc.
Regular Sale Days, Tuesdays and Fridays
A general assortment of Merchandise at private sale.
OSCAR KILBOURN, Auctioneer.

M. AINSA,
FORWARDING & COMMISSION,
UMATILLA, OREGON.
I AM PREPARED TO RECEIVE CONSIGNments of Goods to be forwarded to all parts of Oregon.
CHARGES:
Storage and Forwarding, one month........$1 00
Cartage........1 00—$2.00
If I am liberally patronized I intend to have all Goods in transit insured against any risk of fire.
All freights and charges paid on consignments.
mar9d1m M. AINSA, Portland.

STOCKHOLDERS' MEETING.
NOTICE IS HEREBY GIVEN THAT AN ADjourned meeting of the Stockholders of the Good Templars' Hall Association will be held at the office of Ball & Stott, in the city of Portland, Multnomah county, Oregon, March 16, 1875, at 8 o'clock P. M.
td. RALEIGH STOTT, Secretary.

For Sale,
24 HEAD GOOD STALL FED BEEF CATTLE. Address
ADAM BROWN,
mar8 16t. Dallas, Polk Co., Or.

DRY GOODS, MILLINERY, ETC.

CLARKE &
HENDERSON.
NEW SPRING GOODS!
First Arrivals of the Season!
WE HAVE JUST OPENED SEVERAL CASES of
NEW SPRING GOODS!
To which we would call special attention.
PARASOLS.
Silk, Alpaca and Gingham Plain and Twilled, bl'k and colored, the largest stock we have ever received at one time.
RUCHES.
In Lace, Blonde, Crepe, &c. An immense variety.
NEW NECKTIES, NEW HANDKERCHIEFS, NEW EMBROIDERIES.
BLACK DRESS GOODS, CASHMERE, &C.
FANCY DRESS GOODS.
Domestics, Sheetings, Quilts, Napkins, Damasks, Towels.
A NEW STOCK OF
HATHAWAY SHIRTS!
Many of these Goods we will offer at considerably lower prices than heretofore.

BOOTS AND SHOES.
REMOVAL.
OSVOLD & AYERS,
Boot and Shoe Makers,
HAVE REMOVED TO
STARK STREET, bet. First and Second
mar9d1m

MADE TO ORDER.
IF YOU WANT A GOOD PAIR OF FINE BOOTS, made to order, go to
J. BRADY,
No. 5 Washington Street
Repairing promptly attended to.

Premium Carriage Factory
E. SMITH,
CARRIAGE MAKER,
Cor. Jefferson and Front Streets,
PORTLAND, OREGON.
Is now making First-Class EXPRESS WAGONS, BUGGIES and CARRIAGES of all kinds.
OPINIONS OF THE PRESS.
At the Oregon State Fair, recently held at Salem, Mr. E. Smith was awarded the First Premiums on an Open and also on a Top Buggy. The latter was built from a design published in the June number of *The Carriage Monthly*, styled "Monitor Piano-Box Buggy," and elicited much admiration.—*The Philadelphia Carriage Monthly.*
Mr. E. SMITH, of Portland, has on exhibition at the State Fair two Buggies, both Open and Top, and certainly exhibit as good workmanship as can be found on the Coast, while several very important improvements have been added, especially in ironing the same so as not to weaken the axles, by putting the bolts through the frame. The commendable enterprise that Mr. Smith has displayed, we understand, is being amply rewarded in our city. He will be awarded the first Premium.—*Oregonian.*
MR. E. SMITH, Carriage Maker, of Portland, exhibited one Open and one Covered Buggy upon the Fair Grounds, which deserve special mention. These Carriages are especially light and durable, and those in need of such a purchase—and who isn't—should call upon him before purchasing elsewhere. Of course Mr. Smith bore off the blue ribbons.—*New Northwest.*
MR. E. SMITH, Carriage Maker, corner of Front and Jefferson streets, took two Premiums at the State Fair for First-Class Buggies. This speaks well for his work, and is a credit to Portland.—*Pacific Christian Advocate.*
HOME MANUFACTURE.—Mr. E. Smith, Carriage Maker, of this city, has some splendid Vehicles on exhibition at the Fair.—*Temperance Star.*

BOSCO & MEGLER
PHOTOGRAPHERS,
No. 127 and 129 First Street,
PORTLAND, OREGON.
THIS NEW AND
Magnificent Establishment
HAS
SUPERIOR FACILITIES,
AND
PRODUCES AS FINE WORK
As any on the Coast.
ALL WORK WARRANTED.
ONLY ONE FLIGHT OF STAIRS.

CORBITT & MACLEAY
OFFER FOR SALE THE CARGO OF the "Mattie Macleay," now landing, and other recent arrivals from Honolulu, direct.
5464 kegs assorted grades Island Sugars;
100 bags Kona Coffee;
100 " Island Rice;
100 tons Puuloa Salt;
100 bbls. Molasses,
In quantities to suit the Trade, at Importing rates.
CORBITT & MACLEAY.
Portland, Feb. 13, 1875. fe13d1m

OREGON TRANSFER COMPANY
OFFICE & HACK STABLES,
S. W. Corner of Second and Stark Streets.
CARRIAGE RATES:
Calling, $1 50 first hour; $1 00 for each additional hour.
Riding, $1 50 per hour.
To or from Trains and Steamboats, 50 cents each person.
To and from Balls and Parties, $2 00 a couple.
Funerals, $5 00 a Hack.
All orders given to the Drivers, or left at the office, will be promptly attended to, day or night.

FANCY FOWLS.
HATCHING EGGS OF THE FINEST BREEDS for sale at MARTIN'S Central Market.
mar9d1m

OCEAN STEAMERS.

FOR SAN FRANCISCO, DIRECT.
CARRYING U. S. MAILS.
THE OREGON STEAMSHIP COMPANY'S Steamer
ORIFLAMME.
FRANCIS CONNOR........Commander.
Will leave Portland Warehouse and Dock Company's Wharf at Foot of F street, for the above port.
THURSDAY, MARCH 11, 1875,
At 4 o'clock, P. M.
For Freight or Passage apply at the Office of the Company, corner F and Front streets.
GEO. W. WEIDLER, Agent.

For PORT TOWNSEND, VICTORIA, FORT WRANGLE and SITKA.
CARRYING U. S. MAILS.
THE OREGON STEAMSHIP CO.'S Steam Propeller
CALIFORNIA,
JOHN HAYES........Commander.
Will leave Portland Warehouse and Dock Company's Wharf, at foot of F street, for the above ports,
THURSDAY, MARCH 11, 1875,
At 4 o'clock P. M.,
For Freight or Passage apply at the Office of the Company, corner of F and Front streets.
GEO. W. WEIDLER, Agent.

From Coos Bay & San Francisco
REGULAR STEAMSHIP LINE.
THE FAVORITE STEAMERS
EASTPORT,
J. F. WHITNEY........Master.
EMPIRE,
C. H. BUTLER........Master.
Make regular trips. Stages from Roseburg connecting with Steamers at Coos Bay.
F. SCHETTER, Agent, Coos Bay; D. BEADLE, Agent, San Francisco, 106 Davis street, near California. oc5d6m

RIVER STEAMERS.

NOTICE.
UNTIL FURTHER NOTICE the Str. SENATOR will leave her dock, foot of F street, every day (Sundays excepted), at 2:30 P. M. for Oregon City.
Passengers for Dayton and intermediate points will take cars at 7:30, connecting at Canemah on Monday, Wednesday and Friday of each week.
Rates of Freight:
Corvallis to Portland........$2 50
Albany and Salem........2 00
Harrisburg........3 00
All freights delivered in Portland free of drayage.
Up Freight, $1 00 per Ton.
Freight forwarded to Astoria with dispatch.
J. D. BILES, Agent.

Oregon Steam Navigation Co.'s
PASSENGER SCHEDULE.
PASSENGERS LEAVE PORTLAND
FOR DALLES—Daily, (except Sunday) at 5 o'clock A. M.
FOR KALAMA and TACOMA—Daily (Sundays excepted) at 6 A. M.
FOR VICTORIA—Wednesday and Saturday at 6 A. M.
FOR ASTORIA—Daily, (except Sunday,) at 6 A. M.
For Cathlamet, Bay View and Skomockaway—Monday, Wednesday and Friday, at 6 A. M.
For Westport, Manhattan and Clifton—Tuesday, Thursday and Saturday, at 6 A. M.
For KNAPPA—Thursday, at 6 A. M.
J. C. AINSWORTH, President.

The Willamette River Transportation Co.'s Steamers
Will leave the Central Wharf between Washington and Alder streets, as follows:
FOR HARRISBURG and intermediate points on the Willamette River, on Monday and Thursday, at 6 A. M.
FOR ASTORIA—Steamer BEAVER—Monday, Wednesday and Friday, at 6 A. M.
Lightering and Towing of Vessels between Portland and Astoria at REDUCED RATES.
FRANK T. DODGE, Agent.

OHIO!
INDEPENDENT LINE!
THE LIGHT DRAFT STEAMER,
OHIO,
Leaves Pacific Wharf, foot of Salmon st., THURSDAY, March 11, for Harrisburg and all intermediate points on the Willamette river.
U. B. SCOTT, Master.
M. O. LOWNSDALE, Agent, on the Wharf.

Portland & Vancouver Packet.
THE STEAMER VANCOUVER,
JAS. W. TROUPE, Master,
WILL LEAVE DAILY FROM FOOT OF ALder Street for Vancouver at 2:30 P. M.
Returning leave Vancouver at 8 A. M.
For freight or passage apply on board.
Towing done between 10:30 A. M. and 2 P. M., daily, except Sundays.

CITY TAXES.
The TAX ROLL for 1875 is now in my hands for collection, and all Taxes assessed thereon must be paid at my office, No. 87 First St., within Thirty Days from this date or the same will be returned as delinquent.
L. H. LEWIS,
Treasurer City of Portland.
Portland, Feb. 11, 1875.

REOPENING OF THE
MAISON DOREE RESTAURANT.
HAVING PURCHASED AND REFITTED THE above Maison Doree throughout, I will reopen it as a First Class Restaurant, on MONDAY, March 1st, 1875.
The well known reputation of the Maison Doree will be kept up, and a liberal share of the public patronage is solicited.
G. OPITZ.

REMOVED.
DR. J. R. CARDWELL,
Dentist,
Has removed to Room No. 4, Dekum's Building, cor. First and Washington streets. d&w

FROM HONOLULU.
THE CARGO OF THE JANE A. FALKINBURG consisting of Assorted Grades of
SUGARS, COFFEE, PULU AND RICE,
is offered to the Trade at low rates, by
ALLEN & LEWIS.

PIONEER HOTEL,
SECOND STREET........DALLES CITY.
LOUIS KESS, Proprietor.
Board and Lodging per week........$6 00
Per Day........1 00
Single Meals........37½c
mar9d1m

AUCTION AND COMMISSION.
A. B. RICHARDSON,
AUCTIONEER
COR. OF FRONT AND OAK STS.
Auction Sales
OF REAL ESTATE, GROCERIES, GENERAL MERCHANDISE AND HORSES
Sale Days—Wednesday and Saturday
At Private Sale.
Large assortment of GROCERIES and LIQ
Liberal advances made on consignments.
To parties declining Housekeeping I will
that I will purchase Second-Hand Furniture
A. B. RICHARDSON, Auct
Regular and Peremptory Sale
OF
Furniture, Groceries, General Merchandise, Etc.,
WEDNESDAY, MARCH 10, 1875.
At 10 o'clock A. M.,
GROCERIES.
50 bxs Navy TOBACCO.
8,500 La Matilda CIGARS;
275 bxs C. O. SOAP,
200 bxs Fancy SOAP,
50 chests Japan TEA,
50 bxs WASHING POWDER.
ALSO,
DRY GOODS AND CLOTHING.
ALSO,
20 sets Steel FIRE IRONS.
8 doz GALVANIZED BUCKET
6 doz Eng. FRY PANS.
ALSO,
PICTURES and FRAMES,
HAT RACKS, &c.
ALSO,
BEDROOM, DINING ROOM AND KITCHEN FURNITURE.
A. B. RICHARDSON, Auctioneer.

INSURANCE.
NORTH BRITIS
and
MERCANTILE
INSURANCE CO
Established - 180
ED. HALL,
Agent for Orego
Office, 106 Front St
Between Washington and Alder
mar2d1m

Fireman's Fund Insurance Co
OF CALIFORNIA.
FIRE AND MARINE.
Assets Exceed $627,003 00
OREGON BRANCH
98 Front Street, corner of Alder
EDWARD HALL, Manager.

THE STATE
Investment & Insurance
COMPANY
OF SAN FRANCISCO.
FIRE AND MARINE.
Incorporated in 1871.
Cash Assets, $420,000
OFFICERS:
PETER DONAHUE, President. A. J. BRYANT, Vice President.
CHARLES H. CUSHING, Secretary.
This Company has no connection with any Insurance combination; its business is transacted at the Lowest Paying Rates, each risk being rated according to its own merits.
The undersigned, having been appointed General Agents for the above Company, are prepared to accept applications and issue policies for Fire and Marine risks at equitable rates.
A. P. HOTALING & CO.,
Office—25 Front Street, Portland.
General Agents for Oregon and Washington Territory.
N. B.—Agents wanted throughout the state and Territory.

E. CORBETT'S
Livery, Hack & Feed Stables
(FIRE PROOF),
COR. SECOND AND TAYLOR STS.
Reasonable Charges for Hire. Particular Attention paid to Boarding Horses.
OBSERVE PRICES:
Riding, $1 50 per hour.
Calling, $1 50 first hour, $1 each additional hour.
To boats, 50 cents each passenger.
Funerals, $5 per Hack.
To and from Balls and Parties, $2 a couple.
Orders left at STABLE or FISHEL & ROBERTS, promptly attended to at any hour.

SEEDS! SEEDS! SEEDS!
Field, Flower & Garden Seeds
NEW STOCK JUST RECEIVED
FRUIT AND ORNAMENTAL TREES,
Of all descriptions.
WHALE OIL and CARBOLIC SOAP for destroying Insects. Also, Trellises, Flowerpots, &c.
Send for Catalogue.
HACHENEY & STEMME, Growers,
d&w First and Taylor sts., Portland, Or.

WM. PFUNDER,
APOTHECARY AND CHEMIST,
DEUTSCHE APOTHEKE,
Corner of First and Oak streets, Portland.
PRESCRIPTIONS A SPECIALTY

SEED WHEAT.
CHILI CLUB,
FOR SALE BY
EVERDING & FARRELL.

NewspaperARCHIVE®

ND COMMISSION.

RICHARDSON,
IONEER
ONT AND OAK STS.
tion Sales
GROCERIES, GENERAL MER-
ISE AND HORSES.
dnesday and Saturday
rivate Sale.
GROCERIES and LIQUORS
s made on Consignments.
g Housekeeping, I will mention
Second-Hand Furniture.
RICHARDSON, Auctioneer.

d Peremptory Sale
OF
Groceries, General
handise, Etc.,
Y, MARCH 10, 1875,
o'clock A. M.,
OCERIES.
ACCO.
GARS.
AP.
EA.
POWDER.
ALSO.
CLOTHING.
ALSO.
IRONS.
ED BUCKETS.
PANS.
ALSO.
RAMES.
ALSO.
ING ROOM AND KITCHEN
A. B. RICHARDSON,
Auctioneer.

SURANCE.

H BRITISH
and
CANTILE
RANCE CO.
shed - 1809.
. HALL,
for Oregon.
106 Front St.,
Washington and Alder.

Fund Insurance Co.
CALIFORNIA.
AND MARINE.
ecc - $627,003 00.
CON BRANCH
Street, corner of Wash-
WARD HALL, Manager.

E STATE
ent & Insurance
OMPANY.
SAN FRANCISCO.
AND MARINE.
porated in 1871.
$420,000.
OFFICERS:
A. J. BRYANT,
sident ... Vice President.
H. CUSHING, Secretary.
as no connection with any In-
on; its business is transacted at
Rates, each risk being rated
n merits.
, having been appointed General
ve Company, are now prepared
ions and issue Policies for Fire
t equitable rates.
P. HOTALING & CO.,
ice—25 Front Street, Portland.
Oregon and Washington Territory
anted throughout the State and

. COURTS
k & Feed Stables,
FIRE PROOF),
AND TAYLOR STREETS.
rges for Hire. Particular
aid to Boarding Horses.
ERVE PRICES:
hour.
hour, $1 each additional hour.
each passenger.
Hack.
and Parties, $2 a couple.
BLE of FISHEL & ROBERTS,
to at any hour.

EEDS! SEEDS!
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RNAMENTAL TREES,
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CARBOLIC SOAP for destroy-
rellises, Flowerpots, stands, etc.
& STEMME, Grocers,
and Taylor sts., Portland, Or.
PFUNDER,
Y AND CHEMIST,
HE APOTHEKE,
nd Oak streets, (Portlan
TIONS A SPECIALTY.
WHEAT.
I CLUB,
R SALE BY
G & FARRELL.

The Daily Oregonian.

WEDNESDAY MORNING, MARCH 10, 1875.

CITY.

Patent Candlesticks.—We were shown yesterday a patent candlestick, invented by a well known gentleman of Portland. The stick consists of a brass tube about one foot in length, the lower end of which is attached to a circular shaped pedestal also made of the same metal. The purpose of the last mentioned article is to serve as a foundation, and prevent the tube from being easily thrown down. Inside the tube is placed a fine spiral spring, attached to the lower end. A small button, which just fits the tube, is fastened to the upper end of the spiral spring. This tube is about one inch in diameter—sufficiently large to admit of an ordinary tallow, star or sperm candle being slipped down. When one wishes to use the candlestick he slides a candle down the tube until the tops are even. Of course the spring and "button" are forced down to the bottom when the candle is placed in the tube. A brass cap is then fastened to the upper end of the tube. This cap has a small circular hole about one inch in diameter, in the center, through which the wick and flame pass when it is lighted. As rapidly as the upper end of the candle is consumed the spring from below presses upward, and thus causes it to feed the flame. The advantages claimed are, that a better light is obtained, the candle is always consumed and does not require the application of a pair of snuffers, and not a single drop of grease is lost or scattered when the candle is being carried about the house. It is a very ingenious contrivance, and its simplicity and superiority over all other candlesticks will doubtless secure its general adoption. The inventor has applied for a patent.

Cold Weather.—Oregonians are apt to imagine that we are experiencing cold weather when old mercury waltzes down about ... Last winter during the coldest weather, the thermometer stood three degrees above ... and everybody was able to own a blue ... and a pair of blood-red ears. How every ... you chanced to meet was vigorously ... his digits and saying: "Oh, my, ain't ... terrible cold weather; never have seen ... weather before in Oregon," and similar ... sions. Yesterday a private letter was ... ded us, written from Nebraska, under date ... Feb. 21st. The writer stated that the day ... which the letter was penned, was the ... nty-first one on which the thermometer ... ranged below zero—sometimes as low as ... below that point. Think of that, reader! ... nty-one days of snow and ice, with the ... cury below zero! The writer stated that ... proposed to come to Oregon this season. ... ers in that section of the country had become disgusted with the rigorous climate, and ... couraged with the prospects, and had made their minds to move nearer the point where ... sun sets. The same letter states that any ... ation concerning the climate, resources, ... of this State, is eagerly sought after by ... ple in that region. Pamphlets and papers ... ining such information are soon worn ... by constant perusal by those who are ... ntly casting their eyes toward the ... ighty west."

Death of Dr. Wiggin.—Official notice has ... received, at headquarters in this city, of ... death, at Fort Stevens, of Dr. Augustus Wiggin, U. S. A. He was found dead in ... bed at the fort on Sunday morning, 7th ... A small bottle containing chloral hydrate was found on the stand near his bedside, ... the room was filled with fumes of the ... It is supposed that he had taken, by ... , an overdose, and death resulted as a ... consequence. Dr. Wiggin was aged ... 30 years. He was stationed a short time ... in this city last year, and at the time of his ... he was under orders to proceed to New ... k and be examined before the medical ... d for promotion. He was a fine physician, a thoroughly educated, refined gentleman, and respected by all who knew him. ... death is a great loss to the profession ... formed in life, and will be lamented by all.

Thrown Down.—Yesterday morning one of ... teams connected with the Portland ... and Wood Yard, attached to a wagon, ... fright and, getting the advantage of the ... , started to run off. Before the driver ... catch them, they ran against the lamp-... which stood at the corner of North Front ... E streets and prostrated it quicker than ... could ... the traditional "Jack Robin-..." As a matter of course, the gas pipe supporting the lamp was wrenched short off, and ... case smashed to pieces. The noise ... caused the animals to accelerate their ... , but the driver, by making extra exertions, and receiving some assistance from by-... ers, managed to stop the horses. Some ... besides the city, we opine, will have a ... bill to settle.

O. D. & S. L. R. R.—On this subject, Col. ... writes to John Brattain, under date ... Washington, Feb. 18th, as follows: "Of ... you have heard of the defeat of our ... The big railroads were willing to see us ... the Senate, not believing that our defeat ... seal their fate. But it flattened them ... with their heavy debts on their shoulders, ... I had just been notified that the representative of English capitalists would sail on ... 17th (yesterday) to meet me here, and requesting me to remain and complete negotiations. They preferred to invest without our ... unless materially amended. At their request, I remain till the 1st of March, when ... will be here."

General Howard.—To-day this officer will ... to Salem, where he goes to fulfill an engagement to lecture twice, for the benefit of ... M. E. Church and Odd Fellows' library. ... will lecture at Reed's opera house this ... ning and also to-morrow evening. After ... ng these engagements, Gen. Howard will ... ceed across the country to the Grand ... and Indian reservation, if the roads are not ... muddy at this season of the year. His ... ect in visiting that place is to personally ... ect the reservation, and have a friendly ... wow with the Indians. Soon after returning to this city the General contemplates ... ing a number of the Indian reservations ... g the sound.

Steamer Onward Purchased.—We understand that the lively little steamer Onward, ... for a number of years gallantly ... ed the waters of the Tualatin river, and ... has lately been plying on the Lower ... mbia, has been purchased by the Oregon ... Navigation Company. The terms of ... being private, we are unable to state the ... paid for the steamer. She is now at the ... yard awaiting the behests of her new ... ers. So far as we have been able to ascertain, the company have not yet determined ... re the Onward is to run. It is quite likely ... she will be used as an extra boat and be ... ployed whenever occasion may require.

To Road Supervisors.—For the benefit of ... several road supervisors in this county we ... lish the following from the road laws of ... n, Section 21: "It shall be the duty of ... y supervisor of roads on or before the 15th ... of April, to obtain the names and make ... in alphabetical order, a list of all persons ... le to perform labor on the public roads, ... ding within his district, and file the same ... the county clerk, whose duty it shall be ... affix to each name the amount of taxable ... perty owned by each person residing or ... ing real property therein, for the county ... the last preceding year.

Grand Jurors.—The following grand jurors ... re called yesterday morning in the United ... es District Court, to serve at the March ... of the court: J. W. Lady, J. R. Derby, ... W. Shaver, H. L. McNary, A. Hurgren, ... n White, Simon Smith, L. P. W. Quimby, ... ellus Falconer, A. L. Alderman, D. C. ... ham, Benj. Sutherland, M. C. Chrissman, ... R. Henry, R. C. Geer, D. M. Keene, Chas. ... ge, Arthur Andrews, Wm. Campbell, H. ... ble, Samuel Ramp, J. G. Orchard.

... Meeting.—The "Literary Exercises ... the Taylor-street M. E. Church will commence at 8 o'clock this evening, to be followed ... refreshments and general enjoyment. If ... want to see happy faces and hear and ... something good, come, strangers especially. Admittance tickets fifty cents, to be had ... J. K. Gill's book-store and at the door. ... order of the Committee.

Repeated by Request.—In compliance with ... general request from the public, the play of "Color Guard" will be reproduced at Oro ... Theater on Friday and Saturday evenings of the present week, under the auspices ... Canby and Baker Post, G. A. R.

Y. M. C. A.—At the annual election of officers held on Monday evening by the members of the Young Men's Christian Association the following were chosen: President, M. C. Wilkinson; Vice President, E. J. Northrup; Secretary, Curtis C. Strong; Treasurer, Geo. J. Ainsworth. The following were added to complete the board of managers: Rev. D. J. Pierce, N. Ingersoll, M. G. Johnson, O. O. Howard, L. M. Parrish, Rev. W. C. Chattin, C. P. Yates and H. W. Corbett.

Arrived.—By the steamer California, there arrived Major Campbell, who has command of the military post at Sitka. Major Campbell came down in obedience to an order issued by Gen. Howard, to submit a report in relation to alleged violations of the law regarding the introduction of liquor into the territory of Alaska, and the interference of the military to prevent persons from smuggling into the territory.

Weather Report.—From the records of the U. S. Signal Station of Observation, Portland, Oregon, March 9, 1875:

	7 A. M.	2 P. M.	9 P. M.
Thermometer	35°	51°	46°
Wind direction	Calm	N.	S. W.
Wind velocity	0	3	2
Weather	Foggy	Fair	Cloudy
Minimum temperature			34

Arcadian B. B.—There will be an adjourned meeting of the Arcadian Base Ball Club at the Arcadian Parlors at 7:30 o'clock this evening. Important business to be transacted and a full attendance is desired.

Attention, "Color Guard."—All persons taking part in the play of the "Color Guard" will meet at 7:30 o'clock Wednesday evening, March 10, at Good Templars' Hall, for rehearsal. By order of Committee.

LOCAL BREVITIES.

Friday is the last day to pay city taxes.

The California had quite a rough trip down from Sitka.

The Corsica has had a new mizzenmast placed in position.

There was a spring like balminess in the atmosphere yesterday.

Spring fever and the base ball mania threaten to appear simultaneously this season.

Mr. Jas. C. Fox, the well-known machinist, is now chief engineer on the steamer California.

The usual runaway yesterday to record. It was a butcher's cart. Meat took a sudden fall.

The steamer California is announced to sail hence for the north, this afternoon at 4 o'clock.

The California is discharging coal at the foot of E street. She brought from Nanaimo 202 tons of coal.

The steamer Gussie Telfair was met at Nanaimo by the California, bound north. She had on board 150 passengers.

As soon as trade will justify, the O. S. N. Co. propose to put the steamer Welcome on the route between this place and Kalama.

Some of the sidewalks in this city are in a very bad condition. Nothing but new lumber will suffice to render them comfortable for pedestrians.

The proper way for a lady to direct a letter this season is to run the direction from corner to corner, scatter three one-cent stamps over the envelope, and write "Important" on any vacant space left.

An exchange describes a fire by saying that "the red flames danced in the heavens and flung their fiery arms about like a black funeral pall until Sam Jones got on the roof and doused them out with a pail of water."

We read of a man who believes in having a place for everything and everything in its place. He nailed his slippers on the wall, four feet high, and heels downward, so that all he has to do in the evening is to wheel up his chair and put his feet in them.

In one of the churches out west a pretty girl is employed to take the collections, and the receipts are generally very heavy. If a strange gentleman hesitates about contributing, she smiles, nods, and winks in such a queer style that the victim first blushes up to the roots of his hair and then makes a dive for his pocket book anxious to close the interview as soon as possible.

REAL ESTATE TRANSACTIONS.

W. P. Doland and wife to D. W. Williams, south ½ of northeast ¼ of Sec. 13 T. 1 S., R. 1 E., containing 160 acres; $31 60.

M. Hayden to Antone Moshea, lots 7 and 8, block 127; $375.

Wm. Collier and wife to Henry Webber, lot 6, blk 25, Caruther's Addition; $1.

South Portland Real Estate Association to Aug. C. Kinney, block 126, Caruther's Addition; $8,000.

F. M. Carey and wife to J. H. Gove, a piece of land situated in Carter's Addition and constituting a portion of block A; $100.

Wm. and M. C. Masters to V. B. Delashmutt and H. B. Oatman, one third interest in lot 6, block 72, Carothers addition; $100.

John Yates to Allen Bradford and Chas. Duncan, a piece of land containing 160 acres, in Sec. 20, T. 1, S. R. 2 E.; $1.

Geo. W. Smith and wife to L. Barman; lot 2, block 196, East Portland; $250.

R. B. Wilson and wife to N. B. Peterson, lot 1, block 227, Couch's addition; $350.

Henry Webber and wife to Wm. Collier, a portion of lot 2, block 71, Caruthers addition; $1.

POLICE COURT NOTES.

John Doe, for assault and battery, was fined $5. Paid.

Young Warner, accused of tearing down a sign, was tried and discharged.

Charles Lawrence, for being disorderly, was required to pay over, in the way of a fine, the sum of $15.

Patrick Daly was tried on a charge of conducting himself in a disorderly manner, by fighting, was fined $15, and, in default, committed to jail.

F. W. Woicke, who was in a temporary state of insanity through the excessive use of intoxicating drinks, was sent to the county jail. He will probably be examined by the proper authorities on the question of his sanity.

BUSINESS NOTICES.

Kilbourn will hold a special sale of furniture this morning, on Sixth street, between Oak and Pine.

Try the "Mulligan Guard" collar, advertised by Fishel & Roberts. The firm is adding a parlor to their establishment, which makes it more attractive.

The well known clothiers are out again in a new card, and those desiring something new and nice in clothing should call this week and select from the latest invoice.

At Ackerman's Dollar Store they have a large stock of breeding cages and baby carriages, and more to arrive which have been ordered recently by Mr. Ackerman, who is now in Europe.

PERSONAL.

Judge Bowlby, of Clatsop county, has been paying our city a visit. He returns home this morning.

IMPORTANT.

The members of Baker and Canby Post No. 1, Department of Oregon G. A. R., are requested to meet at their hall on Wednesday evening, March 10th, at 7 P. M., for the transaction of important business.

W. S. NEWBURY, Post Com.

FARM FOR SALE.

One hundred and sixty acres of land, partly under cultivation, near Hubbard Station, east-side railroad. For further information inquire of

W. S. HALPRUNER,
Plumber, First st., bet. Taylor & Salmon.

PHOTOGRAPHY.

The very finest photographs are now taken at the new firm of Sbuster & Dennis, who have just refitted their rooms, corner of First and Yamhill.

The central spot is the coffee stand in Ankeny's market. Fabre & Co. are there.

Spring style of fashionable silk hat received per Oriflamme, introduced this day by Currier & Co., hatters and clothiers.

The Oriflamme brought a large invoice of Goods for Beck & Waldman, and additional lots will arrive on the steamer to arrive next week. This enterprising firm keep their stock well assorted, and for that reason they have a continuous run of customers who know this and of course are always able to find something new in the clothing line. Besides their varied stock of men's clothing and furnishing goods the firm keep a well selected stock of youth's suits, which every fond parent should call and see before making purchases. You will find them at the old corner always ready to serve the public.

THE COURTS.

U. S. CIRCUIT COURT—DEADY, J.

Tuesday, March 9.

Marcus Ness vs. Sylvester Pennoyer; opinion rendered by the Court—judgment for the plaintiff.

On motion of Mr. Durham, J. Q. A. Bowlby was admitted to the bar of this Court.

Adjourned until Monday next.

U. S. DISTRICT COURT—DEADY, J.

The grand jurors were called and answered to their names.

J. R. Derby and Isam White, grand jurors, excused for the term.

Jurors empanelled, and Ralph C. Geer appointed foreman.

On motion, J. Q. A. Bowlby was admitted to practice in this Court.

In re C. B. Comstock & Co., in bankruptcy; register's opinion upon objection to proof of debt on Laidlaw & Gate; order for hearing on Saturday next.

In re J. F. Saunders, in bankruptcy; order allowing assignee to compromise claim against J. R. Moore on terms set forth in petition.

Court adjourned until to-morrow at 10 o'clock A. M.

STATE CIRCUIT COURT—SHATTUCK, J.

R. D. Hume et al vs J. H. Norris; demurrer to answer sustained and peremptory mandamus granted.

McKay and Pare vs Salem Flouring Mills Co.; judgment for plaintiff for $3,071 currency and costs.

Marie Ticel et al vs Angeline Kennard et al; motion to set aside sale granted upon payment of costs of sale by defendant, to be paid by Saturday next.

Levi Anderson vs Angeline Kennard et al; same order entered.

Anna J. White vs Newton White; order for publication of same.

R. Welch, administrator, vs H. Boyd; motion for a new trial argued and submitted.

R. M. Bonser vs W. H. Musgrove; order made amending judgment heretofore entered.

W. H. Musgrove vs Stephen Haines; order to show cause why an injunction should not issue and a receiver be appointed; to be heard at 7 o'clock P. M. on Wednesday.

R. S. Granger vs Peter Johns; stricken from the docket.

Wm. Steel vs M. L. and A. E. McLeran; confirmation of sheriff's sale.

Thaddeus Coyle vs J. B. Harker and Jane Armstrong; demurrer to complaint confessed with leave to amend within three days.

Corbitt & Macleay vs C. S. Silver and H. H. Carpenter; motion for judgment argued and submitted.

O. & C. R. R. Co. vs City of Portland and W. S. Caldwell, auditor; order requiring auditor to make further return.

Edwin Wood vs W. A. Holbrook et al; order substituting Mary A. Holbrook, executrix, instead of defendant, W. A. Holbrook.

A Heroine by Mistake.—The Lexington (Ky.) Gazette heartlessly spoils a thrilling story which recently came from that city. It says: "One dark night, not long ago, a burglar entered a private residence on Broadway. On ascending one flight of stairs he observed a light in a chamber, and while deliberating what to do, a large woman suddenly descended upon him, seized him by the throat, pushed him down through the hall, and forced him into the street before he had time to think. 'Heroic Repulse of a Burglar by a Woman' was the way the story was told the next day. But when friends called and congratulated her upon her courage, she exclaimed: 'Good gracious, I didn't know it was a burglar. If I had I should have been frightened to death. I thought it was my husband come home drunk, and I was determined he shouldn't stay in the house in that condition.'"

Busy.—The clerks at Joseph Kohn's have just completed the transfer of the first installment of Spring Goods, from the boxes to the counters and shelves in the spacious store. Everything is now and stylish, and will certainly please the patrons of this house. Another installment will arrive on the next steamer, the whole making a grand display. Without waiting to see what may follow, look in at Kohn's and have them show the present stock. They propose to sell at prices to suit the present state of business. Recollect Kohn's opposite National Bank.

GEO. H. CHANCE. J. WELCH.

CHANCE & WELCH,
Dentists,
Office—First Street,
(Nearly over Express Office,)
PORTLAND.

Endorsements of the People's Remedy.—When skillful and cautious medical men give over their own signatures a favorable opinion of the soothing and vitalizing effects of a preparation, the public does not hesitate to believe them. The voluminous and emphatic professional testimony in favor of Hostetter's Stomach Bitters, as a specific for all disorders of the stomach and bowels, for liver complaint, intermittent and remittent fevers, and the thousand ills that wait upon dyspepsia, must convince the most skeptical. Aside, however, from the testimony of the faculty, there is a large mass of evidence from patients in every walk of life, all showing that this great preventive and restorative is of inestimable value to the sick and the debilitated. The Bitters are suited to all climates, and are universally endorsed as a preventive of disorders caused by miasma and impure water.

ASK THE MOTHERS.

Women have better opportunities for observing the effects of medicine than men. This is especially true of mothers, who note with a keenness born of affection, the operation of the remedies they administer to their children. Now ask any mother who has used Hale's Honey of Horehound and Tar in her family as a cure for coughs, colds, hoarseness, whooping cough, croup or influenza, what she thinks of it. The answer in every instance will be that she has found it the most effective preparation of its kind she has ever tried or heard of.

Pike's Toothache Drops—Cure in one minute.

BE YOUR OWN DOCTOR.

Save yourself many dollars in money and many pangs of pain by keeping PRATT'S ABOLITION OIL constantly on hand and using it for all lameness and pain. The great popularity of our ABOLITION OIL is owing to the fact that we spare neither labor nor expense in preparing it. We always have and always shall keep it up to its original standard of unparalleled excellence. ABOLITION OIL cures rheumatism, gout, sprains, stiff and swollen joints, bruises, neuralgia, lame back, pleurisy, sciatica, sore throat, cramps, colic, cholera morbus, diarrhoea, nervous head-ache, tooth-ache, ear-ache and all aches and pains internal and external. Sold by all druggists.

PURIFY YOUR BLOOD.

Strengthen and regulate your system. Renew your age. You can do it by using the Regulator and Purifier, PRATT'S NEW LIFE. Stir up your torpid liver; stimulate your kidneys; regulate your bowels; cure and prevent fever and ague, piles, dyspepsia, jaundice, dropsy, heart disease, and all bilious complaints with the great vegetable remedy, PRATT'S NEW LIFE. For sale by all druggists.

A. McBoyle & Co., Druggists, 504 Washington street, San Francisco, manufacturers and sole proprietors.

Arrival and Departure of Mails at the Portland Post Office.

Eastern and California through mail arrives daily at 4:10 p. m. Closes at 6:15 a. m.

Way-mail going south on the East Side R. R. for Oregon and Northern California arrives daily at 4:10 p. m. Closes at 6:45 a. m.

West Side R. R. for Hillsboro and Forest Grove arrives daily at 5 p. m. Closes at 5:45 a. m.

The Dalles and Eastern Oregon, Washington Territory and Idaho, arrives daily (Sunday excepted) between 4 and 6 p. m. Closes at 9 p. m.

Kalama, Olympia, St. Helens, Monticello, Rainier, Astoria, arrives daily (Sunday excepted) at about 6 p. m. Closes at 5 a. m.

Sauvies Island, Mount Coffin, Skomockaway, Cathlamet, Eagle Cliff, Oak Point, leaves Monday, Wednesday and Friday; arrives Tuesday, Thursday and Saturday between 3 and 6 p. m. Closes at 5:30 a. m.

Scappoose, Westport, Columbia City, Willamette Slough, leaves Tuesday, Thursday and Saturday; arrives Monday, Wednesday and Friday at about 6 p. m. Closes at 5:30 a. m.

Knappa, leaves Thursday; arrives Friday about 6 p. m. Closes at 5:30 a. m.

Lafayette, via Tualatin, Middleton and Newburg, closes Friday at 6 a. m.; arrives Saturday 7 p. m.

Salem, via Damascus, Eagle Creek, Cuttingsville, Butte Creek and Silverton, leaves Friday at 6 a. m., arrives Wednesday at 6 p. m. Closes 9 p. m.

Scholl's Ferry, leaves Saturday; arrives Monday at 10 a. m. Closes at 10 a. m.

White Salmon, W. T., leaves Saturday; arrives Monday at 4 p. m.

Sitka, Alaska, once a month.

San Francisco, Cal., by steamer, tri-monthly.

Hood River and Shell Rock (Oregon) leave Saturday at 5 A. M.; arrive Monday evening.

Coos Bay mails arrive Tuesday and Friday, and going connect at Roseburg Monday and Thursday.

IMPORTANT.—Indorsed by the Medical profession. Dr. Wm. HALL'S BALSAM FOR THE LUNGS cures Coughs, Colds, Consumption, and all diseases of the Throat and Chest. Dr. TOWNSLEY'S TOOTHACHE ANODYNE cures in one MINUTE.

Harmony Encampment No. 4, C. of R. C.—Meets Tuesday Evenings, at Good Templars' Hall, corner Third and Alder streets, at 7½ o'clock.

HOTEL ARRIVALS.

CLARENDON HOTEL.

Mrs E G Simonton, Mari'n	Col Cornelius, Cornelius
G M Ewell, Chicago	W H Baxter, "
W Flinn, Oregon City	R W S Hanner, "
W Smith, "	M Robinson, "
H F Rodgers, "	M Johnson, "
N Lound & dr, Astoria	D Emrick, Dalles
L E Pratt, "	T J Jocelyn, Polk Co
J B Martin, Eugene	M McCormack, Roseburg
M J Peuron, Dakota	S R Munson, Sharon
M Epstein, Louisville	J C Curry, Sitka
H Adams, "	J W Minto, Salem
A M Walton, Dungeness	S R Irwin, "
Miss M Forsyth, Mass	Capt Shoff, Astoria
B F Cone, Butteville	G W Woolson, Amity

COSMOPOLITAN HOTEL.

W H Watkinds, Salem	J B Gnasson & wf, Dalles
L F Grover "	C Shutz & wf, "
J L Smith, "	W M Taylor, Kalama
W W Munkees, "	Miss M Curtis, "
J K Bean, McMinnville	Mrs J Curtis, "
C D Folger, Grand Ronde	J H Price "
R Harris, Lafayette	T Hosford, "
J K Irvine, Scio	J H Kuntz, Umatilla
F Irvine, "	J Charlton, Sauvies Isl'd
J W Kreitsen, Drain	A F Tuttle, Claquato
H E Glezy, Aurora	J L Henderson, Rainier
W Wolf, "	

OCCIDENTAL HOTEL.

S Gaus, Oakland	Mrs J H Newell, W W
E Jackson, Seattle	R L Lewis, "
C Williams, Yamhill	H Miles, Chehalis
Nicholas, Oak Point	R Caruthers, Oysterville
A Wagonon, F Grove	R H Espey, "
N B McName	H F Cosgrove, Salem
J Loomis, St Johns	J M Stott, Sandy
W Higgins, Helena	W Aduddell, Skokomish
Miss Hunsaker, O City	L Vinson, "
Miss Beatty, "	W M Taylor, Kalama
F M Albright, "	G Conrad, "
W R Spencer, McMinnvile	P J Whitcomb & w, Ast'a
Mrs Lee & Son, Ochoco	J Baker, S F
J Dugan, Lewiston	J Harvey,
E Florrance, Butteville	

ST. CHARLES HOTEL.

A Hinman, F Grove	Miss J Henry, Seattle
B Matthews, "	Mrs Henry, "
G W Cornell, Vancouver	Mrs McDonald, Hubbard
A Henderson, Klikitat	T Foster, P Townsend
J Henderson, "	H Jackson & fam, Victoria
B H Alger, Cathlamet	J C Palmer, S F

NATIONAL HOTEL.

J A Powell, N Yamhill	G W Newman & wf, "
J Moode, "	G W Howard, "
J G Fleming, Cape Horn	Miss Ella Bacon, "
J Walker, "	L Chambers & wf "
T S Chapman & wf, Wis	F C Withers, "
W Gatton, Col Slough	D E Jones, Dalles
C Moore, N Yamhill	J Williamson, Yamhill
W Feather, "	J Perry, "
L P Quinn, "	N Davis Vancouver
I A Barnie, "	J W Caples & wf, Lewis river
E Gibbons, W T	F Waller, Lewis river
J W Bennett, Coos Bay	
T A Bacon, Oregon City	

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J. D. Lee ..... Dallas	Jas. Lester ..... Scottsburg
Waldron Bros. ... Dalles City	A. Wheeler & Co. ... Shedds
J. W. Krewson, P. M. ... Drain	J. B. Morris, P. M. Sheridan
D. Morse, Jr. ... Empire City	J. M. Brown ..... Silverton
T. G. Hendricks ... Eugene	W. W. Ross ..... Sparta
H. A. Breyman ... Fairfield	Jno. Brentano ... St. Paul
N. E. Goodell, Forest Grove	John Beard, P. M. Tangent
Sheppard & Co. ..... Gervais	G. W. Miller ..... Tillamook
J. F. Pierce ..... Greenville	R. McKinney ..... Turners
W. P. Smith ..... Halsey	Jas. H. Koontz ... Umatilla
Riley Cave ..... Hillsboro	G. W. Ames ..... Union
Smith, Brasfield & Co. ... Harrisburg	J. L. Davis ... W. Chehalem
	C. McMorris, P. M. Weston
A. R. Gleason ... Hubbard's	West & Co. ..... Westport
H. M. Melvin ..... Gardiner	Mahol, Bros. ..... Woodburn
S. V. J. Handsaker, Goshen	C. E. Treacy ..... Yoncalla
W. L. Hodgkin ... Independence	

Idaho.

D. C. Kelley ... Fort Lapwai	Loewenberg Bros. ... Lewiston
Postmaster ... Mount Idaho	

Washington Territory.

Chas. Brady ..... Bruceport	S. W. Hovey, Port Gamble
H. Howe ..... Cowlitz	G. F. Orchard, New Tacoma
G. J. Hogue, P. M. Claquato	Postmaster ..... San Juan
J. C. Davenport ..... Colfax	Pumphrey & Young ..... Seattle
G. W. Miller, P. M. Dayton	
T. Johnson ..... Goldendale	
E. G. Ingalls ..... Kalama	P. Keach ..... Steilacoom
M. P. Callender, Knappton	L. Meeker ..... Pioneer
J. S. Conner ..... La Conner	B. M. Washburn ..... Vancouver
Crosby & Lowe ... Olympia	
John Crellin, Jr. Oysterville	Kimball & Day ... W. Walla
Jas. Seavey, P. M. ... Port Townsend	W. N. Smith ... Waitsburg
	Jos. Schinno, P. M. Yakima

REMOVED.

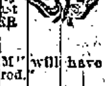
C. H. MYERS,
PLUMBER, GAS AND STEAM FITTER,
HAS REMOVED TO
Corner Front and Taylor Streets.
The patronage of the public is respectfully solicited. tf

OYSTERS.

ALISKY & HEGELE'S
PREMIUM CANDY FACTORY,
No. 107 FIRST STREET.

N. B.—The only place where the justly celebrated
Pan-Roasts and Oyster Patties
ARE SERVED.

Gem Oyster Saloon!



THE PROPRIETOR ANTICIPATING a freeze-up, ordered a large supply of EASTERN OYSTERS by the last steamer; and also, SHOALWATER BAY'S by last steamer from Astoria.

If the blockade continues, the "GEM" will have the Oyster Business Cornered.

N. B.—Our Oysters are all in a cellar, away from the frost, and will keep for months.

THE OXFORD OYSTER SALOON

KEPT BY OLD WALLER, WHO FOR THE LAST four years conducted the Gem Oyster Saloon, to the universal satisfaction of his employers and all who visited said place, is now prepared to attend to the wants of his numerous friends at his own place, which he warrants will be kept only on First Class principles. He also would respectfully inform his friends and the public generally, that he has made arrangements to get FRESH SHOALWATER BAY OYSTERS expressly selected for him twice a week, and A No. 1 EASTERN OYSTERS per every steamer.

A cordial invitation is extended to Ladies and Gentlemen to come and convince themselves as to the kind of a place he keeps.

WM. WALLER.

Oak street, 2d door west of Plunder's Drug store.

MOON'S
Pacific Oyster & Chop House,
S. E. Cor. Second and Stark Sts.

FRESH SHOALWATER BAY OYSTERS, Plain Stews, Fried Oysters, Fancy Roasts and large plate raw Oysters, 40 cents a dish. Per Hundred 50 cents.

Prices reduced on account of doing all the work myself.

Everything is kept in first class style. Ladies and gentlemen desiring to visit a first class Oyster and Chop House are respectfully invited to call and I will guarantee they will find such at my place.

fe9d1m JOHN MOON.

BUSINESS CARDS.

WILLIAMS & KRUMBEIN,
Architects,
Office—Room 17 Dekum's Building.

H. W. DILG,
Locksmith, Safe-Maker & Bell-Hanger,
Washington Street, between First and Front.

MY PATRONS AND CUSTOMERS WILL FIND me at the above place ready at a moment's notice to do any kind of work in my line. Locks and Safes repaired at short notice and in No. 1 style. Bells hung in the latest style. Patent models made to order. d31 4m

RAILROADS.

Oregon & California R. R. Co.

To Take Effect Sunday, Aug. 2d, 1874, at 4 A. M.

DAILY (EXCEPT SUNDAY), As follows:

PORTLAND AND ROSEBURG

LEAVE		ARRIVE	
Portland	7:30 A. M.	Roseburg	7:10 P. M.
Roseburg	5:00 A. M.	Portland	4:15 P. M.

ALBANY EXPRESS TRAIN.

DAILY (EXCEPT SUNDAYS) As follows:

LEAVE		ARRIVE	
Portland	3:50 P. M.	Albany	8:25 P. M.
Albany	5:50 A. M.	Portland	10:05 A. M.

FREIGHT TRAINS

DAILY, (EXCEPT SUNDAYS) AS FOLLOWS

LEAVE		ARRIVE	
Portland	6:15 A. M.	Junction	6:00 P. M.
Junction	5:45 A. M.	Portland	5:15 P. M.

The Oregon and California Railroad Ferry makes connection with all Regular Trains.

Close connections are made at ROSEBURG with the Stages of the Oregon and California Stage Company.

Tickets for Sale to all the principal points in California and the East, at Company's Office,

Cor. F and Front Sts., at Ferry Landing
PORTLAND.

Storage will be charged on freight remaining in Warehouse over 24 hours.

Freight will not be received for shipment after 4 o'clock P. M.

J. BRANDT, Jr., Gen'l Sup't.

E. P. ROGERS,
Gen'l Freight and Passenger Agent.

The Oregon Central R. R. Co.

To take Effect Monday, Novem'r 23, 1874, at 6 A. M.

Daily Trains will run between

PORTLAND AND ST. JOSEPH

AS FOLLOWS:

LEAVE		ARRIVE	
Portland	2:00 P. M.	St. Joseph	6:00 P. M.
St. Joseph	7:00 A. M.	Portland	11:00 A. M.

Connecting at Cornelius with Stages for Forest Grove; at St. Joseph for all points South and West—Lafayette, McMinnville, Amity, Monmouth, Independence, Buena Vista and Corvallis.

Passengers received at Fourth street siding on giving signal to the train; but are prohibited from getting on or off the train at any other point on the street.

Passengers getting on the train at Ticket Stations without tickets will be charged twenty-five cents extra.

On and after Sunday, August 16, there will be no trains run on Sundays.

Freight received at the Company's New Warehouse, and will not be received for shipment after 4 P. M.

J. BRANDT, Jr.

Northern Pacific Railroad.

PACIFIC DIVISION

KALAMA TO TACOMA.

DAILY, (SUNDAYS EXCEPTED.)

LEAVE		ARRIVE	
Kalama	11:20 A. M.	Tacoma	5:50 P. M.
Tacoma	6:30 A. M.	Kalama	12:40 P. M.

CONNECTIONS

At Kalama with O. S. N. Co.'s Boats for points on Columbia River.

At Tenino with stages for Olympia.

At Tacoma with Steamers for all points on Puget Sound daily, and on Thursdays and Saturdays with Steamer for Victoria and Sitka ... Mines.

Tickets for sale at the office of the O. S. N. Co., Portland, Or.

J. W. SPRAGUE,
General Superintendent.

H. W. FAIRWEATHER,
General Ticket Agent.

Kalama, W. T., Feb. 6, 1875.

FORWARDING AND COMMISSION.

L. B. HARRIS. F. CLAY. CHAS. L. DELL

HARRIS, DELL & CO.,
SHIPPING,
Forwarding & Commission
MERCHANTS,
Proprietors
STAR LINE PACIFIC PACKETS
No. 40 California street,
SAN FRANCISCO, CAL.
No. 88 Front street,
PORTLAND, OGN.
Liberal Advances made on Consignments.

JUST RECEIVED
A FULL ASSORTMENT OF THE CELEBRATED "ANCHOR" BRAND
NAILS.
THE BEST NAIL IN MARKET.
Shelf and Builders' Hardware,
MECHANICS' TOOLS,
&c., &c., at
67 FRONT STREET, CORNER STARK.
JOHN R. FOSTER

GEORGE MORROW. WILLIAM SCOTT.

GEO. MORROW & CO.
GRAIN AND COMMISSION MERCHANTS,
DEALERS IN
CALIFORNIA AND OREGON PRODUCE.
CONSIGNMENTS SOLICITED.
39 Clay St., and 28 Commercial St., San Francisco.
Refer by permission to R. C. KINNEY, Salem, Ogn.
s12d6m

YOUNG MEN'S CHRISTIAN ASSOCIATION.

PUBLIC READING ROOM.

LOCAL AND EASTERN PAPERS, AND MAGAZINES—a warm, comfortable room, where the citizen and stranger—especially young men—are always welcome.

Noon meetings daily, except Sundays, from 12:15 till 1 P. M.

Room No. 1, over Ladd & Tilton's Bank, corner of Stark and First streets.

W. C. CHATTIN,
General Secretary.

SNODGRASS & CO.,
CINCINNATI, O.,
COMMISSION MERCHANTS,
For sale of
OREGON SALMON.

Orders for purchase of COTTON GOODS, OILS, PROVISIONS, Etc., will have prompt attention.

oc19-1aw6m

A BARGAIN.

FOR SALE AT VERY LOW FIGURES THE following valuable property, six miles below Salem, on west bank of Willamette River: One STEAM SAW MILL, with PLANER, &c.; one STEAM FLOURING MILL, machinery new and of latest improvements. Both in good order, in the center of a splendid wheat district. Flour loaded into steamers from mill. Comprise 4 acres of land, warehouse, dwelling, &c. Will sell entire or Flour Mill only. For terms and particulars address

LINCOLN MILLING CO.,
Lincoln, Polk Co. Ogn.

fe5d1mwlt

AYER'S CHERRY PECTORAL.—the world's great remedy for Colds, Coughs, Consumption, and all affections of the Lungs and Throat.

CITY FOUNDRY & MACHINE SHOP
JOHN HONEYMAN & CO.
Corner Columbia and Front Sts., Portland, Oregon.

HAVING recently rebuilt and enlarged our Works, we are now prepared to fill all orders for any Work in our line, viz:

PORTABLE AND STATIONARY ENGINES, GRIST AND SAW MILLS, MINING MACHINERY, IRON FRONTS.

IRON AND BRASS CASTINGS of every description furnished at short notice at lowest market rates.

Repairing promptly attended to. ja27d1y

WILLAMET IRON WORKS,
Incorporated September 14, 1865,
CORNER OF NORTH FRONT AND "E" STREETS.
P. FITTBOGEN, Secretary ..... PETER TAYLOR, President.
IRON AND BRASS FOUNDERS, BOILER MAKERS, GENERAL MACHINISTS AND ENGINE BUILDERS,
MANUFACTURE AND HAVE FOR SALE

High and Low Pressure Marine and Stationary ENGINES and BOILERS; Saw Mills, Grist Mills, Quartz, Mining and Agricultural Machinery.

WATER WHEELS, of several patterns, equal to any imported, on hand and made to order, of any size.

REPAIRING OF MACHINERY AND BOILERS promptly attended to and executed with neatness and dispatch.

THE LARGEST AND BEST STOCK OF PATTERNS North of San Francisco. No charge for the use of them.

Agents for Knowles' Patent Steam Pump, the best in use. Also, Agents for the Ammoniated Preparation for the Prevention and Removal of Boiler Scale.

DeGroot's Ornamental Iron Fence; a variety of Beautiful Patterns for Cemeteries, etc.

House Castings, Etc., Etc.

ja1 tf JAMES LOTAN, Superintendent.

BANKS.

LADD & TILTON, BANKERS.

DEPOSITS RECEIVED, AND COIN AND CURRENCY accounts kept, subject to Check at sight.

COLLECTIONS made and proceeds promptly remitted.

INTEREST FROM DATE paid on Coin Time Deposits.

Coin & Currency Exchange
(Sight and Telegraphic,) for sale on
SAN FRANCISCO, NEW YORK,
ST. LOUIS, CHICAGO.

Bills of Exchange,
Drawn in the usual way, for any sum desired, on
LONDON, HONG KONG,
PARIS, BERLIN,
FRANKFORT-ON-THE-MAIN.

THE FIRST NATIONAL BANK
OF PORTLAND.
Designated Depository and Financial Agent United States.
President ..... HENRY FAILING.
Cashier ..... JAMES STEEL.

DEPOSITS RECEIVED IN COIN OR CURRENCY subject to check at sight.

INTEREST ALLOWED on Time Deposits of Coin.

LETTERS OF CREDIT issued available in the Atlantic Cities.

SIGHT EXCHANGE AND TELEGRAPHIC TRANSFERS payable in Coin or Currency, for sale on NEW YORK, SAN FRANCISCO, CHICAGO, ST. LOUIS.

SIGHT or SIXTY DAY BILLS drawn in sums to suit, direct on
LONDON, PARIS,
BERLIN, FRANKFORT-ON-THE-MAIN.

BANK OF BRITISH COLUMBIA.
Incorporated by Royal Charter.
Paid up Capital $1,562,500
WITH POWER TO INCREASE TO
$10,000,000.
HEAD OFFICE—5 East India Avenue, Leadenhall Street, London.
BRANCHES
In Vancouver Island, British Columbia, San Francisco and Portland.
AGENCIES
In New York, Canada, Scotland and Ireland.
Exchange for Sale on
England, Ireland, Scotland, New York and Canada

INTEREST ALLOWED on Time Deposits at the rate of SIX (6) PER CENT. PER ANNUM for periods of three months and upwards.

Approved Bills discounted or Collected. Loans made on available collaterals.

EDWIN RUSSELL, Manager.

MASONIC SAVINGS AND LOAN BANK,

NO. 6 POST STREET, MASONIC TEMPLE, San Francisco. Moneys received on Term and Ordinary Deposit—Dividends paid Semi-Annually. Loans made on approved security. Certificates of Deposit issued payable at New York, Philadelphia, Boston, and the principal cities of the Atlantic States and Canada. This Bank solicits the patronage of all persons. Wm. H. Culver, President; Francis Smith, Vice President; H. T. Graves, Sec'y; Leonidas E. Pratt, Attorney. s11dawsm

BLUE LICK

WHISKEY.

HAVING BEEN APPOINTED SOLE AGENT for the above celebrated brand of Kentucky Whiskey, I am in receipt of an invoice of the same, in barrels, half barrels and cases, which I am prepared to offer to the trade, at jobbing rates.

H. FLECKENSTEIN,
SOLE AGENT,
Wholesale Dealer in Wines and Liquors,
No. 147 First, near Taylor street.

J. SIMON & CO.,
56 FRONT STREET.
DEALERS IN
DOORS AND BLIND
WINDOW SASH, ETC.
1,000 Boxes Glass
ENAMELED GLASS,
STAINED GLASS,
CRYSTAL SHEET,
And CUT GLASS.
PRICES REDUCED
Call before purchasing elsewhere.
GLAZING DONE TO ORDER.

P. GOLDSMITH. J. LOEWENBERG.

GOLDSMITH & LOEWENBERG.
(Successors to Friedman & Co.)
32 and 34 Front St., O. S. N. Co.'s Block.
Importers and Dealers in
STOVES, METALS,
AND
TINMEN'S STOCK.
AGENCY for TILTON & McFARLAND'S SAFES

Proposals for Lumber for the Capitol Building at Salem, Oregon.

BIDS WILL BE RECEIVED AT THE OFFICE of the Board of Capitol Building Commissioners for the following, to wit:

About 200,000 Feet of Lumber.

This Lumber must be furnished within the times and conform to the bills and specifications of the same now to be seen in the office of the architect, W. W. Piper, in Salem.

Said bids must be accompanied by an undertaking with two or more sureties, of not less than five per cent. of the amount of said bid, conditioned that if the contract be awarded to the said bidder he will enter into bonds for the faithful performance of said contract.

The bids received by the Board for said lumber will be opened by said Board at their office in Salem, on the 3d day of April, 1875, at 1 o'clock P. M. of said day.

The Board reserve the right to reject any and all bids.

Cash in coin will be paid.

Bids will also be received on the same terms, at the same time and place, for the

CARPENTER WORK

Necessary in constructing and putting on the roof of said building.

The same to be performed according to the plans and specifications of the work now in the office of said architect.

By order of the Board.

H. STAPLETON, President.
P. L. WILLIS, Secretary.
Salem, March 2, 1875. mar4dlm

PROPOSALS for BRICK WORK
FOR THE
STATE CAPITOL BUILDING
AT SALEM.

BIDS WILL BE RECEIVED FOR LAYING ALL brick necessary to enclose said building according to plans and specifications, which can be seen at the Architect's office in Salem.

Said bids must be accompanied by an undertaking with two or more sureties, of not less than five per cent. of the amount of said bid, conditioned that if the contract be awarded to the said bidder he will enter into bonds for the faithful performance of said contract.

The bids received by the Board for said Brick work will be opened by said Board at their office in Salem, on the 10th day of March, 1875, at one o'clock P. M. of said day. The Board reserve the right to reject any and all bids.

U. S. Coin will be paid as the work progresses.

By order of the Board.

H. STAPLETON, Pres't.
P. L. WILLIS, Secretary.
Salem, Feb. 10, 1875. fe12d30d

Redemption of Canal and Lock Bonds.

Am't Applicable for Redemption, $43,000.

TREASURER'S OFFICE,
SALEM, Feb. 11, 1875.

SEALED PROPOSALS WILL BE RECEIVED by the undersigned, at his office at Salem, until Saturday, March 13th, 1875, for the surrender of Bonds issued under provisions of an act of the Legislative Assembly of the State of Oregon, entitled "An act to appropriate funds for the construction of a steamboat canal at the Willamette Falls," approved October 21, 1870, to an amount equal to the cash on hand for the purchase thereof, at a rate not to exceed ninety-five per cent of the par value of said bonds, as provided by an act of the Legislative Assembly of the State of Oregon, entitled "An act to authorize the State Treasurer to convert currency funds into coin in certain cases, and also to pay off the Lock Bonds," approved October 28, 1874.

All proposals must be sealed and addressed to the State Treasurer, Salem, Oregon.

A. H. BROWN,
fe13d4w State Treasurer.

Treasurer's Notice.

TREASURER'S OFFICE,
SALEM, Jan. 29, 1875.

NOTICE IS HEREBY GIVEN THAT THERE IS money in the Treasury applicable to the payment of the following warrants drawn on the Treasury since the 14th day of September, 1874, to-wit: Nos. 292, 293, 373, 374, 381, 386, 391, 395, 404, 405, 394, 397, 403, 407, 408, 416, 431, 385, 430, 477, 478, 450, 487, 488, 489, 451, 452, 457, 459, 461, 493, 492, 491, 404, 448, 496, 497, 498, 499, 506, 449, 509, 511, 512, 514, 515, 516, 517, 520, 521, 522, 523, 525, 529, 530, 536, 537, 538, 539, 540, 544, 542, 543, 546, 548, 549, 551, 552, 565, 567, 582, 399.

Interest on the above warrants will not be allowed after this date.

A. H. BROWN,
State Treasurer.

TREASURER'S OFFICE,
SALEM, January 21, 1875.

NOTICE IS HEREBY GIVEN THAT THERE are funds now on hand in the Treasury applicable to the payment of warrants drawn on the Treasurer since the 14th day of September, A. D. 1874, to-wit: Nos. 96, 244, 245, 264, 265, 266, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 268, 270, 280, 283, 284, 285, 286, 287, 288, 289, 282, 290, 291, 318, 303, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 320, 321, 322, 304, 305, 324, 325, 327, 379, 328, 321, 336, 337, 338, 339, 334, 348, 285, 346, 348, 351, 352, 353, 354, 358, 361, 340, 360.

Interest will not be allowed after this date.

A. H. BROWN, State Treasurer.

H. L. PITTOCK,
AGENT FOR CLACKAMAS PAPER MILLS,
KEEPS A FULL LINE OF
Straw, Manila and Hardware
WRAPPING PAPERS,
PAPER BAGS, SHIPPING TAGS,
Book, News and Flat Papers,
CARDS,
AND ALL KINDS OF
PRINTERS' STATIONERY.
72 Front Street, Portland.

Wells, Fargo & Co.'s Express.

HAVING ESTABLISHED OFFICES IN ALL parts of Oregon, Washington and Idaho Territories, we are prepared to do a General Express and Freighting business in all its branches.

Freight or Packages will be called for in any part of the city (by giving proper notice) and forwarded with dispatch to any part of the world, through our own and connecting Expresses, at Greatly Reduced rates.

COLLECTIONS MADE, and Commissions for Purchase of Goods, etc., etc., will receive prompt attention.

We shall continue to DRAW EXCHANGE as usual on all the principal cities of the United States, the Canadas and Europe, and to sell TELEGRAPHIC EXCHANGE when desired.

WELLS, FARGO & CO.

TO IMMIGRANTS.

PLEASE CALL AT STATE BOARD OF IMMIGRATION Rooms, Ankeny's Market, and procure tickets entitling you to travel by Railroads and Steamers all over the State at half fares. Also, where employment is obtainable, farms for sale and to rent, and other information as to Oregon, free of charge. fe27tf

NewspaperARCHIVE®

NewspaperARCHIVE®

The Daily Oregonian.

WEDNESDAY MORNING, MARCH 10, 1875.

DECISION IN THE U. S. CIRCUIT COURT.

[Concluded from First Page.]

the proof of service, *it means not merely the affidavit which the publisher may furnish as part of such proof, but the order also, without which the affidavit establishes nothing.* It is giving to the provision, declaring the proof which the officer or person making personal service or the printer publishing the summons shall furnish of their acts, the effect of a declaration that no other proof of the service was necessary, that error in our judgment was committed in Hahn v. Kelly. That the ruling in that case left the judgment roll a defective and imperfect record, seems to have been felt by the court, for it says: 'In our judgment, it would have added to the completeness of the record to have made proof of service by publication, include, also, the affidavit of the party, and the order of the court directing the publication to be made, for, in point of law, they constitute a part of the mode; but the legislature has not seen proper to do so, and we can no more add to their will than we can take from it.'

"For the reasons we have stated, we do not admit that the statute sanctions any such defective record; but, on the contrary, we are clear that, properly construed, it requires full proof of the jurisdictional facts to be incorporated into the judgment roll."

I am not advised what has been the practise in this State in this matter. In the case under consideration the roll does not contain the order for publication but does contain the affidavit therefor. But the order having been put in evidence by the defendant may be considered so far as he is concerned, a part of the roll. The roll itself is otherwise made up in utter disregard of the statute, the papers and entries comprising it, being attached together pell mell, without any reference to the order of their issuing, filing or entry; while some of them are motions for orders and judgments and the like, which are out of place.

The ruling in Galpin v. Page, *supra*, being made by a justice of the Supreme court of the United States, is of more direct authority in this court, than that in Hahn v. Kelly, while the reasons for it, to my mind, far outweigh those given in support of the ruling in the latter case. In my judgment there is scarcely a doubt that the judgment roll, to show "the proof of service" must contain not only the proof of publication of the summons, but also the authority for such publication.

But the affidavit and order for publication may be inspected by this court for the purpose of ascertaining whether the court in M. v. N. had jurisdiction or not, upon another ground.

The judgment roll is not the *whole* of the record in M. v. N. The record of the case comprises "a history of all the acts and proceedings in the action from its initiation to final judgment."—Galpin v. Page, *supra*, 22. A part of this record or history is, at least, all the papers filed in the case and upon which the court appears to have acted in any step of the proceeding. So are the entries and files containing the acts and doings of the court in the case. And these are all *verities* in the same sense and in the same degree as those of them which by statute constitute the judgment roll. These are all elements of "the record at common law, which imported absolute verity," and the definition of a record contained in § 719 of the Code of C. P. is to the same effect: "A judicial record, is the record, official entry or files, of the proceeding in a court of justice, or the official acts of a judicial officer, in an action, suit or proceeding."

There is nothing in § 269 prescribing how the judgment roll shall be made up, which expressly or by implication makes it *the record* of the case, or that imparts to it any more or greater verity, than the rest of the record. As has been already remarked the judgment roll is not the whole record of the case, but only a collection of such of the papers and entries as in the opinion of the legislature were necessary or sufficient to show a prima facie case of jurisdiction in the court to pronounce the *judgment.* The remaining portion of the record which is often voluminous, is omitted from this roll on grounds of convenience and economy. For the same reason, I suppose, the roll is made up in part by attaching the original papers together instead of copying them upon parchment, as was once the case, or in a book, as is still the case in some States, and in this in particular cases. See § 270 Code of C. P. There is really no ground for assuming that the legislature, in providing for this brief judgment roll, intended to thereby exclude the rest of the papers and entries of the case from the record, and to take from them the force and effect as evidence to which they were otherwise entitled. In the very nature of things there is just as much reason and convenience in attributing absolute verity to an order for the publication of a summons as to the *ex parte* judgment given in pursuance of it, in the same case and by the same court or judge; and it is not to be assumed, in the absence of express provision to that effect, that the legislature would make such an illogical and absurd distinction.

In considering, then, the objections made to the judgment in M. v. N., the court will inspect the affidavit and order for publication as well as the rest of the record, upon the double ground that they are properly a part of the judgment roll, and also a part of the general record of the case, and, therefore, in either case, of equal verity with any part of such roll. If, then, it shall appear from the record in the case that the court in M. v. N. never acquired jurisdiction to give the judgment it did, the sale of the premises and subsequent proceedings were void, and the plaintiff must recover. This conclusion would follow upon general principles, and is within the rule expressly declared in § 731 of the Code of C. P., as follows: "Any judicial record may be impeached, and the presumption arising therefrom overcome, by evidence of a want of jurisdiction in the court or judicial officer, * * in respect to the proceedings."

To proceed, then, with the consideration of the objections: Was the order for publication of the summons made without evidence that Mitchell had "a cause of action" against Neff?

The affidavit of Mitchell upon which this order was made is dated November 19, 1865, and after the title of the cause reads as follows: "I, J. H. Mitchell, pl'ff, being first duly sworn, say that the deft, Marcus Neff, is a non-resident of this State, that he resides somewhere in the State of California, at what place affiant knows not, and he cannot be found in this State. That plaintiff has a just cause of action against defendant *for a money demand on account.* That this court has jurisdiction of such action. That the defendant has property in this county and State."

The order was granted in open court, on the same date as the affidavit, and reads as follows: "Now at this day comes the plaintiff in his proper person and by his attorneys Mitchell & Dolph, and files affidavit of plaintiff and motion for an order of publication of summons as follows:—'Now comes the plff by his attys and upon the affidavit of plff herewith filed moves the court for an order of publication of summons against deft, as required by law—he being a non-resident;'—and it appearing to the satisfaction of the court that the defendant cannot after due diligence be found in this State and that he is a non-resident thereof; that his place of residence is unknown to pl'ff, and cannot with reasonable diligence be ascertained by him; that plaintiff has a cause of action against defendant; and that defendant has property in this county and State, it is ordered and adjudged by the court that service of the summons in this action be made by publication for six weeks successively in the *Pacific Christian Advocate*, a weekly newspaper published in Multnomah county, Oregon, and this action is continued for such service."

The judgment in M. v. N. being now attacked or questioned collaterally, not on appeal, if there is *any* evidence in the affidavit tending to prove or establish the ultimate fact upon which jurisdiction to grant the order depends—the existence of a cause of action against the defendant—it is sufficient to sustain the judgment. But if there is no evidence of such fact, the court acted without authority and the judgment is void. I find the rule upon this subject laid down very fully and clearly by Mr. Justice Sawyer, in Forbes v. Hyde, 31 Cal., 348, as follows: "There is a marked distinction between an affidavit which presents some evidence on a vital point, but clearly of a character too unsatisfactory to justify an order for publication of summons based upon it; and an affidavit which presents no evidence at all tending to prove the essential fact. In the former case the judge might be satisfied upon very slender and inconclusive testimony; but there being some appreciable evidence of a legal character, which calls into action the judgment of the judge, he has jurisdiction to consider and pass upon it. He may be wholly and egregiously wrong in his conclusion upon the weight of the evidence, but he has jurisdiction to act upon it, and his action is simply erroneous. His order would in such case be reversed on appeal. But as there was jurisdiction to act, until reversed, or attacked by some direct proceeding to annul it, the order and judgment based upon it would be valid. Such a judgment could not be collaterally attacked. If, however, there is a total want of evidence on any point necessary to be determined, upon which the law requires the mind of the judge to be satisfied as a prerequisite for granting an order of publication, then there is nothing upon which he is authorized to act; the evidence, which is the very basis of his jurisdiction, and upon which it depends, is wanting, and his action is without authority. His action is not merely erroneous, for there was nothing to call into exercise the judicial mind—there is no jurisdiction to act at all, and the proceeding is void."

There is nothing in the affidavit of Mitchell which tends to show that he had "a cause of action" against Neff. True, he asserts therein that he has a cause of action, but this is not the statement of a fact tending to prove such a proposition, but a general assertion or expression of opinion that the proposition is true. But it is the province of the court to determine that question, upon the facts to be stated in the affidavit. A general statement that the plaintiff has a cause of action against the defendant is not sufficient. It does not make the matter appear to the court. The facts necessary to show that a cause of action exists must be stated. Concerning the material circumstances of time, place and amount this affidavit is wholly silent, and whether this supposed cause of action arose upon an indebtedness of one mill for a small measure of moonshine or a million of dollars for as many miles of land, is left to conjecture. In Forbes v. Hyde, *supra* 354, Mr. Justice Sawyer quotes, with approval the following ruling upon this subject from Ricketson v. Richardson, 26 Cal. 153: "An affidavit which merely repeats the language or substance of the statute is insufficient. * * The ultimate facts of the statute must be proved, so to speak, by the affidavit, by showing the probatory facts upon which each ultimate fact depends. These ultimate facts are conclusions drawn from the existence of other facts, to disclose which is the special office of the affidavit. To illustrate: It is not sufficient to state generally that after due diligence the defendant cannot be found within the State, or that *the plaintiff has a good cause of action against him*, or that he is a necessary party; but the acts constituting due diligence, or the facts showing that he is a necessary party should be stated. To hold that a bald repetition of the statute is sufficient, is to strip the court or judge to whom the application is made of all judicial functions and allow the party himself to determine in his own way the existence of jurisdictional facts—a practice too dangerous to the rights of defendants to admit of judicial toleration. The ultimate facts stated in the statute are to be found, so to speak, by the court, or judge, from the probatory facts stated in the affidavit, before the order for publication can be legally entered."

Of course, in stating that the affidavit contains no evidence of the existence of a cause of action against Neff, I consider the sense of the language of that instrument: "Plaintiff has a just cause of action against defendant *for a money demand on account*—as in no degree affected by the words which I have italicised. The expression—"a money demand on account"—is, so far as my knowledge goes, *sui generis* in the literature of the law. What it means, is not obvious, and counsel have not been able to enlighten the court upon the subject. If it means anything, it is an allegation that the affiant has a demand against the defendant "for money on account," which at least is a mere obscure amplification of what was already said in the averment that he had a cause of action against him.

So far then as the affidavit is concerned, it containing no evidence that the plaintiff had a cause of action against the defendant, the court acted without authority in making the order for publication and the same, together with the judgment following it, is simply void.

But it is suggested that it appears from the verified complaint on file in M. v. N. when this order for publication was allowed, that a cause of action existed in favor of Mitchell and against Neff. The complaint states:—That the plaintiff is an attorney "and as such has been practicing in Portland, Oregon, for over five years last past. That between January 1, 1862, and May 15, 1863, plaintiff, at defendant's special instance and request, rendered professional services for defendant, as such attorney, which services were reasonably worth the sum of $200 in legal tender notes: That said amount is long since due and unpaid, except $6 50 paid thereon by defendant, January 24, 1863, wherefore," etc.

While it is questionable whether even the complaint states facts sufficient to prove the existence of a cause of action, and therefore justify the granting of an order for publication, if the question arose upon an appeal, it doubtless contains some evidence tending to establish that conclusion, and is therefore sufficient when the question arises, as in this case, where the judgment is attacked collaterally.

In Forbes v. Hyde, *supra*, 355, the complaint, which was not necessarily verified, was not in the record. The court was asked to presume that it was verified and contained evidence tending to show the existence of a cause of action, and that the court in allowing the order for publication may have acted upon it as well as the insufficient affidavit. But it declined to do so, saying, that "it affirmatively appears by the recitals in the order itself that the order was based upon the affidavits of Green and Brooks."

In M. v. N. the complaint is in the record, and appears to be verified. It is therefore as to the facts contained in it and relative to this inquiry, substantially an affidavit. The motion for the order for publication which is recited therein, asks that it be made "upon the affidavit of plff herewith filed" but the order itself does not state that it was made exclusively upon the affidavit. It states that "it appearing to the satisfaction of the court," etc., without stating how or why. In a case like this, there is no presumption that there was any evidence before the court allowing the order other than what appears by the record. But it appears from such record that the complaint was on file in the case when the order for publication was allowed, and was therefore before the court and might have been used by it in allowing the order as evidence that a cause of action existed against Neff. In U. S. v. Walsh, 1 Deady, 282, I held that the complaint in an action for a penalty was an affidavit and sufficient for the allowance of a writ of arrest under § 107 of the Code of C. P. The point is not free from doubt, but my mind inclines to the conclusion that this court ought to presume if necessary that the court in M. v. N. acted upon the evidence contained in the complaint in allowing the order, and therefore I conclude that so far as this objection is concerned the judgment is valid.

The second objection to the judgment is that it does not appear from the record that any diligence was used by Mitchell to ascertain Neff's place of residence. The fact upon which the objection is based is admitted by counsel for defendant, but they insist that it is not necessary that the affidavit upon which the order of publication was allowed should contain the evidence of such diligence; that the fact might be proved by oral testimony. The order merely states that it appears to the satisfaction of the court that the place of residence of Neff "is unknown to pl'ff, and cannot with reasonable diligence be ascertained by him." Upon what evidence this conclusion was reached by the court does not appear, except in the recital that the motion was made upon the affidavit of the plaintiff.

§§ 56 and 57 of the Code regulate the allowance of service of summons by publication, and ought to be taken and construed together. The latter provides that "In case of publication the court or judge shall also direct a copy of the summons and complaint to be forthwith deposited in the postoffice, directed to the defendant at his place of residence, *unless it shall appear that such residence is neither known to the party making the application nor can with reasonable diligence be ascertained by him.*"

The fact of diligence can only be shown by affidavit, and this must appear by the record. Cook v. Farrar, 11 Abb., 40; 13 How., Pr., 43; Hallet v. Righters, 16 Id., 43; Titus v. Relyea, Id. 373; Hyatt v. Wagenright, 18 Id., 248.

The exposition of § 798 of the Code of C. P. by defendant's counsel to show that an affidavit could not have been used to prove "diligence" upon the application for the order is unsound. On the contrary such section expressly provides that an affidavit may be used on a motion. Indeed I do not understand that the evidence of a witness can be heard on a motion otherwise than by affidavit. The application for the order for publication of the summons was a motion, and any evidence used in support of it should have been by affidavit, and doubtless such was the case.

Besides §§ 56 and 57 taken together, by necessary implication, require that the proof of residence and diligence shall be by affidavit. In construing the corresponding sections in the California Code, the court in Ricketson v. Richardson, 26 Cal., 152, said:

"Sections 30 and 31 treat of the same general subject, and they must be read together for the purpose of ascertaining what the affidavit and order should contain in order to satisfy the law and make the service complete. It must appear from the affidavit that the person upon whom service is to be made either resides out of the State or has departed from the State, * * and also whether his residence is known, and if known it should be stated. * * The affidavit must show whether the residence of the person upon whom service is sought is known to the affiant, and if known the residence must be stated. It is true that this is not required in terms in the thirtieth section, which is more especially devoted to the affidavit; but, as we have already said, the whole statute on the subject of service by publication is to be read together, and section 31 requires that where the residence is known the order shall direct a copy of the summons and complaint to be forthwith deposited in the postoffice, directed to the person to be served, at his place of residence. *In granting the order, the court or judge acts judicially and can know nothing about the facts upon which the order is to be granted, except from the affidavit presented by the applicant.* There is no other way of bringing the fact of residence to the judicial knowledge of the court or judge. *That the fact of residence should appear in the affidavit is therefore necessarily implied from the whole tenor and scope of the statute.*"

Where this kind of service is sought the proceedings should be carefully scrutinized and strict compliance with every condition of the law exacted; otherwise its provisions may lead to gross abuse, and the rights of person and property made to depend upon the elastic consciences of interested parties, rather than the "enlightened judgment of a court or a judge."

The evidence of diligence used to ascertain the residence of the defendant, when it is alleged to be unknown to the party making the application, must appear in the affidavit for the same reason that "the fact of residence" should, if known to such party. The one is the equivalent of the other. Either the place of residence of the defendant must be shown or it must appear that it is unknown to the party and what diligence he has used to ascertain it. They are in the same category, and the law which requires one to be shown by affidavit equally applies to the other. It was not intended that the law should be a means of *spoiling* non-residents, and therefore it provides that the defendant shall have personal notice of the proceeding if possible, so that he may take proper measures to protect his rights. The provision requiring a copy of the summons and complaint to be mailed to the address of the defendant is a wise and just one, and well calculated to prevent its abuse. Little chance has a non-resident to be informed of the proceedings against him by the mere publication of the summons, often, as in this case, in a weekly newspaper of denominational circulation within the State, and practically none without it.

The court having omitted to make the order directing a copy of the summons and complaint to be deposited in the postoffice, addressed to the defendant at his place of residence, upon the mere allegation in the affidavit that such place of residence was "somewhere in California," *then* unknown to the affiant, and without any evidence that the plaintiff had ever used any diligence to ascertain such place of residence, or even that he was not conveniently and intentionally ignorant of the fact, the order allowing service by publication, and the service and judgment following it are necessarily void and of no effect.

The third objection to the judgment is also well founded. There was no legal proof of the service of the summons by publication, and therefore the court had no jurisdiction to give the judgment. As has been stated § 69 of the Code of C. P. requires that the service of the summons *shall be proved*, in case of publication by the "affidavit of the printer or his foreman or his principal clerk." As appears from the affidavit to the publication, it was made by Henry C. Benson, the "editor" of the paper. The statute is imperative and admits of no proof of service but the affidavit of the printer, or his foreman or principal clerk. The reason is obvious. The persons described are the only ones who, as a rule, are likely to have personal knowledge of the fact by virtue of their relation to the subject. It may be in some cases that the editor has such knowledge also. So it may have been in M. v. N., but if it were so it should have been stated. But as a rule the contrary is probably true. One of the elementary rules of evidence is that a fact shall be proven by the best evidence of which, in its nature, it is susceptible. For very cogent reasons this rule ought to be rigidly applied to the proof of jurisdictional facts where the proceeding is *ex parte*. An editor does not know, *by virtue of his employment as such*, that a summons has been published in all the numbers of the paper he edits, put in circulation during a particular period of time. But the printer may be reasonably presumed to. Therefore the editor's affidavit is not the best evidence of the matter. True, he may inform himself concerning it, and so may any one having no relation whatever to the paper. But speaking from information derived at second hand in this way, the witness is liable to be mistaken or imposed upon.

For these very sufficient reasons, as it appears to me, the legislature has required that the service by publication shall be proven by the best evidence of which the case is susceptible—the affidavit of the printer, his foreman or principal clerk. This being so, no court is authorized, for any reason to assume that the affidavit of an editor or other person not the printer of a paper, is legal evidence of a publication therein.

But counsel for defendant maintain that due service of the summons appears from the entry of judgment which states "that the defendant had notice of the pendency of the action by publication of the summons for six successive weeks in the *Pacific Christian Advocate*."

What is meant by the averment "that the defendant had *notice* of the pendency of the action" is not clear. The averment is without the statute which does not provide that the defendant shall have *notice* of the pendency of the action by publication, but that constructive service of the summons may be made upon him by that means. Whether he thereby acquires actual notice of the proceeding the court cannot know, and therefore cannot find. The averment should be that the defendant was duly served with summons by publication of the same in the *P. C. A.*, etc. But assuming that this averment is formally sufficient, it does not appear to be true in point of fact. The record not only fails to support it, but actually contradicts it. So far as the record discloses the fact there was no evidence before the court that the defendant had any notice of the pendency of the action by a publication of the summons. The affidavit of the editor of the *P. C. A.* was not competent evidence of the fact, and none other appears to have been before the court.

And finally it is insisted by counsel for defendant that the court in M. v. Neff was a court of general jurisdiction, and therefore the law presumes its proceedings were regular and within its power, unless the contrary affirmatively appears from the record.

Admitting for the moment that this rule applies in cases of this kind, it is a sufficient answer to say that the contrary does appear here from the record. If the record of a court is silent as to a jurisdictional fact for the purpose of upholding the judgment, it will be presumed that the fact was duly made to appear by the court, but when it appears from the record that such fact was made to appear by a certain means, it will not be presumed that it was also made to appear otherwise or differently. Here the record shows that the proof of service was made by the affidavit of the editor, and there is no room to presume that it was otherwise or differently made. The record is not silent on the subject. It speaks for itself, and there is no reason or necessity for resorting to presumption. Moreover, in this class of cases it is not sufficient that an averment of due service of the summons in the judgment entry should be *not* in conflict with the facts contained in the record,—*it must be affirmatively supported by them.* If such an averment could be successfully substituted for the proof of the fact which the statute requires, it is reasonable to suppose that the proof would generally be dispensed with. The averment is a nullity.

But I am satisfied, upon both reason and authority, that the rule in regard to presumptions in favor of the regularity of proceedings in courts of general jurisdiction, does not and ought not to apply in cases where there is no appearance or actual service of the summons, and the defendant is a non-resident of the State. This presumption is a rule of the common law. It had its origin in and is only applicable to a procedure in which judgment could not be given against a defendant, unless he was not only personally summoned, but was arrested or appeared in the action. If he did not appear his goods and the profits of his lands might be distrained *ad infinitum* to compel an appearance, or if he absconded, he might be outlawed, but no judgment could be given against him in the action until he appeared and was heard. 3 Black. Com., 280 et seq. See Hess v. Cole, 3 Zab. 116.

The court being without jurisdiction to proceed in the action until both parties were before it, and each had an opportunity to allege what he might for himself and against his adversary, it might well be presumed that its judgment was regularly and duly given, unless the contrary affirmatively appeared by the record. Such is still the rule in regard to courts of general jurisdiction when proceeding substantially according to the course of the common law.

But the proceeding in M. v. N., so far as the acquiring of jurisdiction is concerned, was in fact and theory *ex parte*. The record was made by the plaintiff without the knowledge or interference of the defendant. He was not present to question the jurisdiction of the court, or point out wherein the facts stated or shown by the plaintiff were insufficient to authorize its action. The action of the court in the premises in such cases is only formal. Technically it gives the judgment; but substantially the proceeding and record are taken, conducted and made up by the plaintiff, upon his own judgment. No presumption ought to be allowed in favor of the jurisdiction in such cases. Every fact necessary to sustain the jurisdiction, must appear from the record or the judgment is void. As was said by Mr. Justice Field, speaking for the court in Galpin v. Page, 18 Wall. 368: "Whenever, therefore, it appears from the inspection of the record of a court of general jurisdiction that the defendant, against whom a personal judgment or decree is rendered, was, at the time of the alleged service, without the territorial limits of the court, and thus beyond the reach of its process, and that he never appeared in the action, the presumption of jurisdiction over his person ceases, and the burden of establishing the jurisdiction is cast upon the party who invokes the benefit or protection of the judgment or decree."

In Galpin v. Page, in the circuit court, *supra*, 7, it was held, citing the same case in 18 Wall., that "the presumptions which the law implies in support of the judgment of superior courts of general jurisdiction" "were limited to jurisdiction over persons within the territorial limits of the courts, persons who could be reached by their process, and also over proceedings which were in accordance with the course of the common law." And again at p. 12: "When the judgment of such a court" (of general jurisdiction in civil cases) "is produced, relating to a matter falling within the general scope of its powers, the jurisdiction of the court will be presumed, even in the absence of the formal proceedings or steps by which the jurisdiction was obtained; and such jurisdiction cannot ordinarily be assailed except on writ of error or appeal, or by some other direct proceeding. But when the judgment of such a court relates to a matter not falling within the general scope of its powers, and the authority of the court can only be exercised in a prescribed manner not according to the course of the common law; or *the judgment is against a party without the territorial limits of the court, who was not served within those limits and did not appear to the action, no such presumption of jurisdiction can arise. The judgment, being as to its subject matter or persons, out of its ordinary jurisdiction, authority for its rendition must appear upon the face of its record.* In other words there is no presumption in favor of the judgments of courts of general jurisdiction, except as to matters and persons falling within the scope of that general jurisdiction. When the proceeding is special and outside of that general scope, either as to subjects or persons, the presumption ceases and the record must show a compliance with the special authority, by which the extraordinary jurisdiction is exercised. This doctrine is an obvious deduction from principle, and is sustained by adjudged cases almost without number in the highest courts of the several States, and in the supreme court of the United States. There is running all through the reports the emphatic declaration of the common law courts, that a special authority, conferred even upon a court of general jurisdiction, which is exercised in a mode different from the course of the common law, must be strictly pursued, and the record must disclose the jurisdiction of the court. On this subject the cases speak a uniform language, with scarcely a dissentient voice."

But I do not understand that a mode of proceeding is "different from the course of the common law," in the sense in which that phrase is here used, because there may be a difference in mere non-essentials or incidents which change with the manners and circumstances of a people and their ideas of utility and convenience. As, for instance, whether a pleading is verified or not, or a denial is special or general, or a defendant shall answer without or after an imparlance, or an issue shall be made by the complaint and answer, or by an indefinite series of pleadings or altercations if necessary, or there shall be many forms of actions or but one, or a judgment in ejectment shall be a bar to another action or not, does not, in this sense, make the mode of proceeding differ from the course of the common law. But, as has been shown, the corner-stone of a proceeding at common law was that no judgment could be given against a defendant unless he appeared in the action. Out of this important fact grew the reasonable presumption that the record was absolutely true, and the court had jurisdiction to give the judgment. But the law ceases with the reason of it. There is no reason for such a presumption when the proceeding takes place in the absence of the defendant upon a mere constructive service of process upon him. In such case the record must show affirmatively every fact necessary to give the court jurisdiction, and as to such facts it may be even contradicted, when attacked collaterally in the tribunal of another forum. Thompson v. Whitman, 18 Wall., 468. This court and the one that gave the judgment in M. v. N. are tribunals of different sovereignties exercising a distinct and independent jurisdiction, though within the same territorial limits. The judgment of the State court is only entitled to the same faith and credit in this court, as it is in the courts of another State. Galpin v. Page, *supra* 10.

I cannot better conclude this opinion than by quoting and adopting the language of Mr. Justice Sawyer in a similar case—Forbes v. Hyde, *supra*, 355:

"We are not insensible to the fact that this decision may affect many judgments obtained upon service by publication of summons in years past, and, for that reason, we have bestowed upon the question the attention which its great importance demands. We know that there is probably no State in which there have been, and where there is likely to be, so many occasions for procuring service by publication as in California. But while this is true, it is, doubtless equally true, that there is no State in which so many have waited and are still waiting for their adversaries to depart, in order that suit may be brought and judgment obtained against them on publication without actual notice. It may be important to the interests of those who suppose they have acquired rights under this class of judgments that they should be upheld. But it is equally important that the interests of parties, who have been only constructively served with process, and who, in many instances, have had no actual notice till they have been condemned unheard, should be protected. If a judgment is void for want of jurisdiction, all those who have acquired interests under it have done so in full view of the condition of the record; while, on the other hand, a defendant is liable to have an unjust judgment rendered against him without any knowledge of the pendency of the action till it is too late to protect himself. An appeal is no adequate remedy when a party has no notice, for the time to appeal is very brief, and may expire before actual notice is obtained. In the language of the court in Smith v. Rice, 12 Mass., 513, 'the very grievance complained of is that the party had no notice of the pending of the cause, and of course no opportunity to appeal.'"

There must be judgment for the plaintiff, and findings of fact and law will be prepared in accordance with this opinion.

J. W. Whalley, M. W. Fechheimer and *W. W. Page*, for plaintiff.

H. Y. Thompson and *George H. Durham*, for defendant.

Samaritan Lodge No. 2, I. O. O. F.—Meets every Wednesday evening at 7 o'c'k in Odd Fellows Temple, corner of First and Alder streets. Members of the Order are invited to attend. By order of N. G.

Hassalo Lodge No. 15, I. O. O. F.—Meets every Friday evening at 8 o'clock, in Odd Fellows Temple, corner First and Alder streets. Members of the Order are invited to attend. By order of N. G.

FINANCE AND COMMERCE.

Financial.

TUESDAY EVENING, March 9, 1875.

Gold in New York, 115.

Legal Tenders in Portland—buying, 87½; selling 88¼.

Legal tenders in San Francisco, 87½ buying, 88 selling.

Sight exchange on San Francisco, coin ¾ @ discount; currency ¼ of 1 per cent. prem.

Sight exchange on New York coin ¾ of one per cent. prem., and currency ½ of one per cent.

Price of Sterling exchange in New York, $4 84½@4 88.

Gold bars, 725@750.

Though the latest wheat telegrams from Liverpool indicated a rise of 3d per cental on lots of average California, ex warehouse, no other change in that market was noted by the same advices, yet it is fair to presume that other qualities as club and Oregon wheat, and wheat in transit and for shipment were correspondingly advanced and were quotable nominally as so much higher.

In local monetary circles there are no important changes, the demand for loanable funds being slightly increased, but it is yet met with a fair degree of readiness at the usual rates—say 10 and 12 per cent. per annum on good real property, for yearly loans, and on shorter time 1 per cent. per month.

Eastern mail advices denote a tendency to a tightening in financial matters, induced by the strong demand for currency by the South and West, a circumstance which has happened annually for some years past about this time in the season, and which partially drains the banks in the Atlantic cities of their surplus. The exports of specie to Europe continue large, but so far in March have fallen below the average for the preceding month.

Under the provisions of the act of Congress of June 20, 1874, the national banks were permitted to deposit legal tender notes with the United States Treasurer to an amount equal to their outstanding circulation, and withdraw the bonds deposited to secure the circulation. Under this provision, national banks in all parts of the United States surrendered $7,701,100 between the 20th of June and the 1st of October, 1874. From Oct. 1, 1874, to February 9, 1875, the amount surrendered was $2,193,145, making a total of $9,894,245 of circulation surrendered since June 20. The amount of additional circulation applied for under the new finance law, which made banking free and which went into effect on the 14th of January, has been nearly $7,000,000 up to the present time. The total amount of national bank circulation outstanding on February 9 was $346,842,577; but included in this was the greater portion of the $9,894,245 which had been "surrendered" by the banks that issued it, and which the United States treasurer will redeem—as fast as it is sent in—with the greenbacks deposited by the banks that surrendered it. The largest amount of national bank circulation that has been outstanding, at any time since the organization of the system, was about $351,000,000, shortly before the act of June 20, 1874. The aggregate had therefore been decreased about $4,000,000 up to the last of February, and will probably be still further reduced during the current month.

Shipping Intelligence.

The steamship California is discharging cargo at the Gas Co.'s wharf.

The Oriflamme, due from San Francisco, had not been telegraphed at a late hour this evening.

The American bark Wetterhorn, dispatched to Cork for orders by Henry Hewett & Co., carried 30,584 bushels wheat valued at $30,740.

The bark Menshikoff is about due from San Francisco.

[BY TELEGRAPH.]

SAN FRANCISCO, March 9.—Sailed—British ship Prince Oscar, Liverpool; British ship Wasdale, Cork.

Arrived—Barkentine Harrison, Port Townsend; bark Oak Hill, Port Blakely.

San Francisco Markets.

[BY TELEGRAPH.]

SAN FRANCISCO, March 9.—Flour—Extra, $5@5 25. Wheat—Good milling, $1 60@1 62½; best samples, $1 65.

Barley—Feed, $1 37½@1 42; brewing, $1 45@1 52½.

Oats—$1 55; choice, $1 60.

Hay—Good wheat, $15; choice, $16.

Potatoes—Petaluma, $1 80; Panama Ro, $1 90.

Onions—$1@1 37½, latter figure for choice.

Dairy Products—Fresh butter, 25½@27½c; new cheese, 15@17c; eggs, 25c.

MARKETS.

EUREKA MARKET.

P. G. EDDY & CO.,

Cor. Third and Ash Streets.

Wholesale and Retail Dealers in all kinds of

Puget Sound and Columbia River Fish,

Oysters, Clams, Poultry, Game,

GENERAL PRODUCE, &C.

At reasonable prices.

In soliciting public patronage we feel assured that in giving strict attention to business will receive a liberal share in our line.

Hence our stock will be
Cheap for cash you'll see;
To friends and all
Please give us a call.

REID & VESTAL,

BUTCHERS & PACKERS,

Stalls 8, 9 and 10 Central Market.

SHIPS AND STEAMBOATS SUPPLIED.

HOME AGAIN!

J. S. KELLER,

Has returned to the

COR. MADISON AND FIRST STREETS,

Where he will be prepared to supply Fresh

Beef, Pork, Mutton, Veal, Etc.,

WHOLESALE AND RETAIL.

PORTLAND MARKET.

E. H. GARLING,

Cor. MORRISON and SECOND STREETS,

KEEPS CONSTANTLY ON HAND the best of all kinds of MEATS. All orders delivered in any part of the city Free of Charge. Also, KOSHER BEEF, VEAL AND MUTTON.

CHRIS. SCLOTH

INVITES HIS OLD PATRONS AND the public generally to call at his

NEW BUTCHER SHOP,

Washington St., one door East of Third.

COUGHS, HOARSENESS, INFLUENZA, Sore Throat, Colds, Whooping Cough, Croup, Liver Complaint, Bronchitis, Asthma, Bleeding of the Lungs, and every affection of the Throat Lungs and Chest are speedily and permanently cured by the use of

Dr. Wistar's Balsam of Wild Cherry.

This well known preparation does not dry up a cough and leave the cause behind, as is the case with most medicines, but it loosens and cleanses the lungs and allays irritation, thus removing the cause of the complaint.

CONSUMPTION CAN BE CURED

by a timely resort to this standard remedy, as is proved by hundreds of testimonials received by the proprietors. None genuine unless signed I. Butts. Seth W. Fowle & Sons, Proprietors, Boston. Sold by Redington, Hostetter & Co., San Francisco, and by dealers generally.

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March 2, 1875.

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Board and Lodging, per week ... $6 00
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For all the purposes of a Family Physic,

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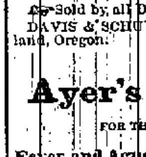

Costiveness, Jaundice, Dyspepsia, Indigestion, Dysentery, Foul Stomach and Breath, Erysipelas, Headache, Piles, Rheumatism, Eruptions and Skin Diseases, Biliousness, Liver Complaint, Dropsy, Tetter, Tumors and Salt Rheum, Worms, Gout, Neuralgia, as a Dinner Pill, and Purifying the Blood, are the most congenial purgative yet perfected. Their effects abundantly show how much they excel all other Pills. They are safe and pleasant to take, but powerful to cure. They purge out the foul humors of the blood; they stimulate the sluggish or disordered organ into action; and they impart health and tone to the whole being. They cure not only the every day complaints of every body, but formidable and dangerous diseases. Most skillful physicians, most eminent clergymen, and our best citizens, send certificates of cures performed and of great benefits they have derived from these Pills. They are the safest and best physic for children, because mild as well as effectual. Being sugar coated, they are easy to take; and being purely vegetable, they are entirely harmless.

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Fever and Ague, Intermittent Fever, Chill Fever, Remittent Fever, Dumb Ague, Periodical or Bilious Fever, &c., and indeed all the affections which arise from malarious, marsh, or miasmatic poisons.

R Has been widely used during the last twenty-five years in the treatment of these distressing diseases, and with such unvarying success that it has gained the reputation of being infallible. The shakes, or chills, once broken by it, do not return until the disease is contracted again. This has made it an accepted remedy, and trusted specific, for the Fever and Ague of the West, and the Chills and Fever of the South. Ayer's Ague Cure eradicates the noxious poison from the system, and leaves the patient as well as before the attack. It thoroughly expels the disease, so that no Liver Complaints, Rheumatism, Neuralgia, Dysentery or Debility follow the cure. Indeed, where Disorders of the Liver and Bowels have occurred from Miasmatic Poison, it removes the cause of them and they disappear. Not only is it an effectual cure, but, if taken occasionally by patients exposed to malaria, it will expel the poison and protect them from attack. Travelers and temporary residents in Fever and Ague localities are thus enabled to defy the disease. The General Debility which is so apt to ensue from continued exposure to Malaria and Miasm, has no speedier remedy. For Liver Complaints, it is an excellent remedy.

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IN THE UNITED STATES DISTRICT COURT—District of Oregon. Notice in Bankruptcy. In the matter of [illegible], Bankrupt. Notice is hereby given that a petition has been filed in said Court by [illegible] Morris, duly declared bankrupt under the Act of Congress of March 2, 1867, for a discharge and certificate thereof, from all his debts and liabilities and other claims provable under said act and that the twenty-fourth day of March 1875, is assigned for the hearing of the same before H. H. Northup, Esq., Register in Bankruptcy, at his office in Portland, in said District, when and where any person may attend and show cause if any they have, why the prayer of said petition should not be granted.

R. WILCOX,
Clerk of said Court.

mar3dlaw3t

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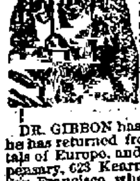

623 KEARNEY STREET, COR. [illegible] San Francisco. [illegible] 1854, for the treat[illegible] and Seminal Dis[illegible] Gonorrhoea, Gleet, [illegible] Syphilis in all its [illegible] Weakness, Impote[illegible] Diseases (of years [illegible] and Ulcerated Legs succ[illegible] treated.

DR. GIBBON has the pleasure of [illegible] he has returned from visiting the [illegible] tals of Europe, and has resumed [illegible] pensary, 623 Kearney street, corner [illegible] San Francisco, where his old patie[illegible] quiring his services may find him [illegible] The Doctor has spared neither [illegible] seeking out new remedies, and [illegible] increased facilities for the allev[illegible] fering.

Horrible Diseases.

How many thousands of [illegible] male and female, are there who are [illegible] existence from the effects of [illegible] from virus absorbed into the [illegible] pallid, emaciated and disfig[illegible] broken-down constitutions [illegible] the happiness of marriage [illegible] In this horrid situation those [illegible] closes the scene. Let parents [illegible] tend to those who are suffer[illegible] horrible, life-destroying mala[illegible] cared for and cured before it [illegible] immediately to DR. GIBBON, [illegible] made private diseases his espe[illegible] and who is certain to cure the [illegible] without mercury or any inj[illegible] portant to those who are aff[illegible] are interested in the welfare [illegible] careful of the many preten[illegible] all cities, publishing their sh[illegible] in a few days, imposing upon [illegible] the names of eminent physicians [illegible] other places. Be therefore careful [illegible] inquiry, or you may fall into the [illegible] charlatans.

Seminal Weakness.

Seminal Emissions, the conse[illegible] This solitary vice, or depraved [illegible] practiced by the youth of bo[illegible] unlimited extent, producing wi[illegible] ty, the following train of morbid [illegible] combatted by scientific medical [illegible] low countenance, dark spots und[illegible] the head, ringing in the ears, [illegible] of leaves and rattling of chariots [illegible] the loins, weakness of the limbs, [illegible] blunted intellect, loss of confidence, [illegible] approaching strangers, a dislike [illegible] quaintances, disposition to shun [illegible] memory, hectic flushes, [illegible] tions about the [illegible] coughs, consump[illegible] frequent insanity, [illegible] apply immediately, [illegible] have a cure effected by [illegible] of treating this disease [illegible] ing a quick and radical [illegible] Hundred Dollars to any [illegible] isfactorily to him [illegible] plaint by either of the So[illegible] quacks.

Married Men,

Or those who contemplate marriage, who are suffering under any of these fearful maladies, should not forget the sacred responsibility resting upon them, nor delay to obtain immediate relief.

DR. GIBBON is responsible, and will give to each patient a written instrument, binding himself to effect a radical and permanent cure, or make no charge.

Caution to the Unfortunate.

Beware of the San Francisco quacks and pretenders who, with bogus bait, to certificates, deceive the unwary. Some of the self-styled doctors whose names are to be found in the daily and weekly newspapers of San Francisco and other places, are tradesmen and became too lazy to work at their trades. Some are tinsmiths, shoemakers, newspaper carriers, intelligence office keepers, etc. The only way to avoid imposition is to make inquiry—it will cost you nothing, and may save you [illegible] for, as advertising physicians in e[illegible] out of ten are bogus, there is no safety in [illegible] any of them until you know who and what [illegible] Dr. Gibbon does not deceive people by ex[illegible] titles, certificates, pretended patients' letters, etc. Dr. Gibbon will satisfy persons who may call, at his office of his ability to treat disease [illegible] to cure.

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Persons at a distance may be CURED AT home by addressing a letter to [illegible] stating symptoms, length of time th[illegible] and have medicines prop[illegible] free from damage and curiosity, to a[illegible] with full and plain direct[illegible] Dollars coin, in registered l[illegible] the Post office or through Wells, Far[illegible] package of medicine will be forwarded [illegible] part of the Union. All communications stric[illegible] confidential.

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REMEMBER TO PUT BOX 1,957 [illegible] THE LETTER. Consultations FREE.

☞ Correspondents will please inform DR. GIBBON that they read his advertisement in the DAILY OREGONIAN.

LEGAL NOTICES.

IN THE UNITED STATES DISTRICT COURT—District of Oregon. Notice [illegible] Bankruptcy. In the matter of Joseph Ke[illegible] [illegible] Notice is hereby given that a pe[illegible] has been filed in said Court by said Joseph [illegible] duly declared bankrupt under the Act of [illegible] March 2, 1867, for a discharge and cer[illegible] of all his debts and liabilities an[illegible] claims provable under said act, and th[illegible] [illegible] day of March, 1875, is assigned for [illegible] hearing of the same before H. H. Northup, Esq[illegible] Bankruptcy, at his office in Portland, [illegible] when and where any person may attend and show cause, if any they have, why the prayer of said petition should not be granted.

[illegible]
Clerk [illegible]

fe15dlaw3t

IN THE UNITED STATES DISTRICT COURT—District of Oregon. Notice [illegible] In the matter of C. H. Kellogg, bank[illegible] [illegible] Notice is hereby given that a petition has [illegible] in said Court by said C. H. Kellogg, d[illegible] declared bankrupt under the Act of Congress of March 2, 1867, for a discharge and certificate thereof, from all his debts and liabilities and other claims provable under said act, and that the fifteen[illegible] day of March, 1875, is assigned for the hearing of the same before H. H. Northup, Esq., Register in Bankruptcy, at his office in Portland, in said District, when and where any person may attend and show cause, if any they have, why the prayer of said petition should not be granted.

R. W[illegible]
Clerk of said Court.

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IN THE UNITED STATES DISTRICT COURT—District of Oregon. Notice in Bankruptcy. In the matter of O. Kellogg, bankrupt. Notice is hereby given that a petition has been filed in said Court by said O. Kellogg, duly declared bankrupt under the Act of Congress of March 2, 1867, for a discharge and certificate thereof, from all his debts and liabilities, and other claims provable under said act, and that the fifteenth day of March, 1875, is assigned for the hearing of the same before H. H. Northup, Esq., Register in Bankruptcy, at his office in Portland, in said District, when and where any person may attend and show cause, if any they have, why the prayer of said petition should not be granted.

R. W[illegible]
Clerk of said Court.

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NOTICE.

ALL PERSONS HAVING CLAIMS AGAINST the Estate of ISAAC A. DAVENPORT, M. D., deceased, are hereby required to present the same to the undersigned at their office, No. 32 First street, in the city of Portland, Oregon, within six months from the date hereof.

HAMILTON BOYD,
H. S. DAVENPORT,
CHAS. E. SITTON,
Executors.

fe6dlmw4t

Portland, Feb. 4, 1875.

IN THE DISTRICT COURT OF THE UNITED States for the District of Oregon. Notice of Assignee of his appointment. District of Oregon, ss. At the city of Eugene the 13th day of February, A. D. 1875. The undersigned hereby gives notice of his appointment as Assignee of H. A. Guernsey, within the county of Lane and State of Oregon, within said District, who has been adjudged a bankrupt on creditors' petition, by the District Court of said District.

BYRON C. VAN HOUTEN,
Assignee.

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IN THE DISTRICT COURT OF THE UNITED States for the District of Oregon. Notice of Assignee of his appointment. District of Oregon, ss. At the city of Portland, the 9th day of February, A. D. 1875, the undersigned, hereby gives notice of his appointment as Assignee of A. [illegible] Portland, in the county of Multnomah and State of Oregon, within said District, who has been adjudged a Bankrupt upon his own petition.

JOSEPH BACHMAN,
Assignee.

fe23d3t

VOL. XV.—NO. 31.

EASTERN NEWS.

[BY TELEGRAPH TO THE OREGONIAN.]

The New Hampshire Election.

CONCORD, March 10.—Late returns seem to hav changed the face of the election somewhat. R turns of the congressional districts are meagre an insufficient to indicate results. The Republica positively claim to have elected Pike in the secon and Blair in the third, and think Jones, Democrati candidate in the first, is defeated. On the othe hand the Democrats claim to have elected Jones i the first district, Bell in the second, and think late returns may show the election of Kent in the thir The second and third districts seem to be doubtfu with the chances in favor of Jones in the first. Th Republicans claim to have elected the governo but the latest returns have reduced their gains s that the election by people seems improbable. Th legislature will be very close.

Thirty-one towns in the second congressional dis trict give Pike (Republican) 4,811; Bell (Dem cratic), 5,001; Fletcher, 30.

Forty-five towns in the third district give Blai (Republican), 7,452; Kent (Democratic), 7,629; scat tering, 59.

Fifty-nine towns in the first district give White house (Republican), 9,992; Jones (Democratic 10,023; scattering, 194. Whole number of towns i district, 87.

CONCORD, N. H., March 10.—One hundred and eighty-four towns give Cheney (Rep.) 29,568; Rob erts, 23,388; scattering, 500. Last year these gav McCutchins (Rep.) 26,027; Weston (Dem.), 25,620 scattering, 1,657.

CONCORD, March 10.—Two hundred and four town give Cheney 33,584; Roberts, 32,476; White and sca tering, 590. These towns last year gave McCutchin 29,844; Weston, 29,830. Of 258 there are 28 towns t be heard from.

CONCORD, March 10.—Returns from 232 towns an wards give Cheney (Rep.) 37,012; Roberts (Dem 36,090; scattering, 624. The Republica gain over last year's vote is 2,860. The remaining towns last year gave a Democratic majority of 790 This indicates that Cheney and Roberts will run with about an even vote. The Democrats claim th House by 15 to 20, while the Republicans claim 1 majority in the same body.

In the first Congressional district the election o Jones (Dem.) is conceded by both parties. Blair (Rep.) is elected in the third district.

Proceedings Against the Silk Smugglers.

NEW YORK, March 10.—Charles L. Lawrence, one of the alleged principals of the lately dispersed gang of silk smugglers, has been arrested at Queens town, Ireland. Lawrence, [illegible] his partner, Gustave Ball and Cornobert DeSanges, deputy collector of the port, are jointly indicted in the United States court for smuggling, by evading the payment of duties on imported silks, entering them through the connivance of customs officials, as hosiery.

D-Koven Likely to be Defeated at Last.

CHICAGO, March 10.—The defeat of Dr. DeKoven bishop elect of Illinois by the standing committees of the various dioceses, appears now certain. Of 27 committees heard from 18 refuse to consent to his confirmation, and it is not thought possible he can secure a sufficient number of the 18 yet to be heard from to confirm him.

Archbishop McClosky to be Made a Cardinal.

NEW YORK, March 10.—Archbishop McClosky received a dispatch from a friend in Rome announcing that he is to be made a cardinal.

Sailing of the Colon—Death from Fever.

NEW YORK, March 10.—The steamer Colon sailed for Aspinwall to-day. Chief Engineer G. E. Yates, of the steamer Costa Rica, died of fever on Feb. 28, as the vessel entered Panama harbor.

The Union Pacific Begins to Declare Dividends.

NEW YORK, March 10.—The meeting of the directors of the Union Pacific Railroad Company, in Boston, to-day, adopted resolutions authorizing the directors to pay from the surplus earnings, dividends at the rate of six per cent per annum, payable quarterly, beginning July 1st. Also authorizing the directors to consummate the plan proposing payment into the treasury of a fixed sum to form a sinking fund to pay the government debt and interest, in lieu of all demands of government on the company.

U. P. Election.

BOSTON, March 10.—Of 357,450 shares of U. P. R. R., 320,568 were cast for the following board of directors: Oliver Ames, Boston; Elisha Atkins, F. Gordon Dexter, Benj. E. Bates, Oliver Ames, second, and E. Lera Baker, of Bristol; Sydney Dillon, New York; Chas. H. Osborn, Jay Gould, George S. Scott, Sam'l H. Mills, J. D. Smith, J. Richardson, New York; G. M. Dodge, Iowa; John Sharp, Salt Lake City.

A suitable and permanent monument will be erected on the line of the road to the memory of Oakes Ames.

Treasure for Havana.

NEW YORK, March 10.—The Havana steamer took $274,000 gold.

The Western Union Declares a Dividend.

NEW YORK, March 10.—The W. U. Telegraph Co. to-day declared a quarterly dividend of two per cent.

Sheridan Visits Washington.

CHICAGO, March 10.—The *Evening Post and Mail's* Washington special says Lieutenant General Sheridan arrived from New Orleans this afternoon and immediately went to the White House, where he is closeted with the President and Secretary of War.

Gold and Stocks.

NEW YORK, March 10.—Gold closed at 15⅞; money, 2@2½; governments active and strong; stocks active and unsettled; W. U., 75½; quicksilver, 32; Wells Fargo, 86; N. Y. Cent., 102⅜; Erie, 27¾; Pac., 39½; Panama, 113; U. P., 37.

Losses by Fire.

NEW YORK, March 10.—The following are the losses by fire at Callao, Peru, on the 20th ult.: Grace & Co., $36,200, insured; O'Connor & Co., $25,000, insured; Fa Gurre, $10,000, insured; Seymour, $20,000, not insured; S. D. Avilla, $30,000, not insured; S. Romero, $100,000, not insured; J. Cantrarino, $30,000, not insured; Taylor, McIntosh & McClark, $7,000, not insured.

WASHINGTON CITY.

Civil Service Rules Finally Abandoned.

WASHINGTON, March 10.—The departments have issued circulars announcing the abolition of the civil service reform rules governing their respective departments wherever operative, and announcing return to the former method of appointment of employes as provided for by section 164 of the revised statutes enacted June 22d, 1874, which is that no clerk shall be appointed to any department in either of the four classes until he has been examined and found qualified by a board of three examiners, to consist of chief of bureau or office into which such clerk is to be appointed, and two other clerks to be selected by the head. All such boards of civil service reform throughout the country are abolished by these orders.

Financial Matters.

WASHINGTON, March 10.—The treasury balances to-morrow will show a decrease of outstanding legal tenders of $1,235,000. An order for cancelling that amount has been sent to the treasury to-day. The statement will exhibit outstanding legal tenders, $380,714,000.

Ex-Congressmen want Offices.

A large number of Senators and ex-members of the House called on the President to-day. Several ex-members wanted the President to provide them with offices, but received little or no encouragement. Only a few more nominations will be sent to the Senate, and were it not for the Pinchback question, the Senate could adjourn within a week.